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HOUSE JOURNAL

OF THE

Fifteenth

Legislative Assembly

OF THE

STATE OF MONTANA

---

Held at Helena, the Seat of Government of said State, commencing  
January 1, 1917 and ending  
March 1, 1917

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PUBLISHED BY AUTHORITY

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# OFFICERS AND MEMBERS

OF THE

## 15th Legislative Assembly of the State of Montana

Governor, S. V. STEWART  
Lieutenant Governor and President of the Senate, W. W. McDOWELL  
Speaker of the House, JAS. F. O'CONNOR

### HOUSE OF REPRESENTATIVES

Name	Politics	County	Residence
Andersen, Chas.	Dem.	Fergus	Lewistown
Anderson, Oscar W.	Rep.	Fergus	Lewistown
Andrew, John T.	Dem.	Silver Bow	Butte
Arneson, Anthony H.	Rep.	Sweet Grass	Big Timber
Ashby, Jr., Shirley C.	Dem.	Lewis & Clark	Helena
Baldwin, Clement J.	Rep.	Carbon	Bridge
Ball, Leonard	Dem.	Silver Bow	Butte
Baxter, E. C.	Rep.	Meagher	Harlowton
Belden, O. W.	Rep.	Fergus	Lewistown
Bent, Wallace A.	Dem.	Carbon	Bowler
Bernard, P. N.	Rep.	Flathead	Kalispell
Blake, Harold N.	Rep.	Deer Lodge	Anaconda
Blodgett, F. E.	Dem.	Silver Bow	Butte
Booth, George T.	Rep.	Cascade	Great Falls
Brooks, Joseph	Rep.	Park	Livingston
Buell, Henry M.	Rep.	Missoula	Missoula
Buell, Hiram S.	Rep.	Gallatin	Bozeman
Buchanan, Sr., Frank	Rep.	Yellowstone	Hesper
Burnworth, Clifton H.	Rep.	Rosebud	Forsyth
Carll, Frank	Dem.	Yellowstone	Billings
Clark, S. W.	Dem.	Chouteau	Geraldine
Connolly, James J.	Dem.	Silver Bow	Butte
Cotter, Charles P.	Rep.	Broadwater	Townsend
Crismas, William J.	Dem.	Carbon	Joliet
Crowley, Tim	Dem.	Silver Bow	Butte
Davis, Clarence C.	Dem.	Teton	Conrad
Deibel, Randolph	Dem.	Custer	Miles City
Demel, C. W.	Dem.	Yellowstone	Billings
Dodds, Percy F.	Rep.	Flathead	Whitefish
Duffy, Joe H.	Dem.	Silver Bow	Butte
Eaton, Ernest T.	Rep.	Yellowstone	Billings
Eliel, Frank	Rep.	Beaverhead	Dillon
Farmer, Frank W.	Dem.	Cascade	Great Falls
Fishbaugh, L. M.	Dem.	Chouteau	Carter
*Flanigan, Jerry H.	Dem.	Silver Bow	Butte
Fuller, Newman H.	Rep.	Custer	Miles City
Gould, M. S.	Dem.	Madison	Twin Bridges
Griffin, James	Rep.	Blaine	Chinook
Grimes, Thomas W.	Dem.	Silver Bow	Butte
Gullidge, A. O.	Rep.	Prairie	Terry
Harbert, James	Rep.	Flathead	Polson
Harmon, W. E.	Rep.	Gallatin	Bozeman
Hathaway, Maggie Smith	Dem.	Ravalli	Stevensville
Hawks, James A.	Dem.	Wibaux	Wibaux
Henderson, W. C.	Rep.	Dawson	Jordan
Henry, V. R.	Rep.	Chouteau	Geraldine
Higgins, Ronald	Rep.	Missoula	Missoula
Holt, Clifford F.	Rep.	Cascade	Great Falls
Huffaker, George W.	Rep.	Lewis & Clark	Helena
Hurd, Walter L.	Dem.	Stillwater	Columbus
Husser, Arthur A.	Dem.	Hill	Hingham
Ingalls, Mrs. Emma A.	Rep.	Flathead	Kalispell
Ironside, Fred A.	Dem.	Silver Bow	Butte
Jensen, Steuard R.	Dem.	Cascade	Great Falls
Johnson, Edw. C.	Rep.	Deer Lodge	Anaconda
Johnston, W. B.	Rep.	Ravalli	Hamilton
Jones, Dudley	Rep.	Phillips	Dodson
Kehoe, Thos. M.	Dem.	Yellowstone	Billings
Kelsey, Frank T.	Rep.	Custer	Moorehead
Kemmis, Walter D.	Rep.	Richland	Sidney
Lanstrum, George W.	Rep.	Lewis & Clark	Helena
Larse, George W.	Dem.	Sanders	Plains
Lemmon, C. A.	Dem.	Deer Lodge	Anaconda
Lewis, V. E.	Rep.	Chouteau	Fort Benton
Lusk, Addison K.	Rep.	Missoula	Missoula
McClory, John S.	Rep.	Toole	Shelby
McDonald, Charles S.	Rep.	Teton	Choteau
McMahon, W. J.	Dem.	Silver Bow	Butte
McMillan, R. O.	Rep.	Sheridan	Bainville



## HOUSE OF REPRESENTATIVES—Continued

Name	Politics	County	Residence
O'Brien, John .....	Dem.....	Silver Bow.....	Butte
O'Connor, Jas. F. ....	Dem.....	Park.....	Livingston
Page, John R. ....	Dem.....	Granite.....	Drummond
Phelps, E. T. ....	Rep.....	Valley.....	Baylor
Prosser, Martin .....	Dem.....	Lewis & Clark.....	Helena
Quaintance, Cary .....	Rep.....	Jefferson.....	Boulder
Rainey, John .....	Dem.....	Dawson.....	Lindsay
Rasmussen, C. A. ....	Rep.....	Dawson.....	Glendive
Sand, A. U. ....	Dem.....	Valley.....	Opheim
Scott, William J. ....	Rep.....	Big Horn.....	Hardin
Searles, Chas. A. ....	Dem.....	Mineral.....	Alberton
Sektnan, M. ....	Dem.....	Valley.....	Glasgow
Shaw, John A. ....	Dem.....	Powell.....	Deer Lodge
Spain, William Whitfield .....	Dem.....	Gallatin.....	Belgrade
Stimpert, Adam .....	Dem.....	Cascade.....	Great Falls
Ward, John M. ....	Dem.....	Silver Bow.....	Butte
Well, Charles A. ....	Dem.....	Lincoln.....	Eureka
Wheat, Gilbert G. ....	Dem.....	Madison.....	Virginia City
White, B. C. ....	Dem.....	Fergus.....	Buffalo
Working, Lincoln .....	Rep.....	Lewis & Clark.....	Helena
McQuarrie, Daniel L. ....	Rep.....	Missoula.....	Missoula
Mason, Dwight N. ....	Dem.....	Missoula.....	Ronan
Middleton, John R. ....	Rep.....	Rosebud.....	Hysham
Morris, Richard E. ....	Dem.....	Fallon.....	Baker
Morrow, J. A. ....	Dem.....	Musselshell.....	Ryegate
Murray, Frank C. ....	Dem.....	Cascade.....	Great Falls

\*Died February 2, 1917.

C. H. TREACY, Chief Clerk.

William Cutts, Dem. of Butte, Silver Bow County, appointed by the Governor to fill the vacancy.

## STATE SENATORS

Name	Politics	County	Residence
*Annin, J. B. ....	Rep.....	Stillwater.....	Columbus
Arnold, George O. ....	Dem.....	Gallatin.....	Manhattan
*Brower, A. J. ....	Rep.....	Missoula.....	Ronan
Burla, Gwen F. ....	Dem.....	Big Horn.....	Hardin
*Burlingame, J. M. ....	Rep.....	Cascade.....	Great Falls
*Clark, T. L. ....	Dem.....	Toole.....	Sweet Grass
Clay, Geo. W. ....	Rep.....	Phillips.....	Malta
*Dwight, Reuben .....	Rep.....	Sanders.....	Perma
*Edwards, J. E. ....	Rep.....	Rosebud.....	Forsyth
Ellingson, Henry .....	Rep.....	Sweet Grass.....	Big Timber
Featherly, George P. ....	Rep.....	Beaverhead.....	Dillon
*Fishbeck, F. G. ....	Rep.....	Sheridan.....	Plentywood
*Gallwey, Harry A. ....	Dem.....	Silver Bow.....	Butte
Gnose, J. B. ....	Rep.....	Deer Lodge.....	Anaconda
Haley, W. S. ....	Rep.....	Prairie.....	Terry
Healy, Daniel .....	Dem.....	Park.....	Livingston
Heren, Rolla P. ....	Rep.....	Custer.....	Miles City
*Hogan, T. S. ....	Dem.....	Yellowstone.....	Billings
Hurd, W. W. ....	Dem.....	Valley.....	Glasgow
Jones, William E. ....	Rep.....	Meagher.....	Harlowton
*Junod, O. H. ....	Rep.....	Madison.....	Sheridan
*Kane, Thos. ....	Rep.....	Ravalli.....	Corvallis
*Kinney, J. C. ....	Rep.....	Wibaux.....	Wibaux
*Lane, J. E. ....	Dem.....	Fergus.....	Lewistown
*Larson, T. O. ....	Rep.....	Teton.....	Choteau
McCone, George .....	Rep.....	Dawson.....	Glendive
*Meadors, J. P. ....	Rep.....	Richland.....	Riverview
Mershon, N. J. ....	Rep.....	Granite.....	Phillipsburg
Morris, Claude F. ....	Dem.....	Hill.....	Havre
*Muffly, C. S. ....	Dem.....	Broadwater.....	Winston
*Oliver, John .....	Rep.....	Fallon.....	Ekalaka
O'Shea, Daniel G. ....	Dem.....	Carbon.....	Red Lodge
*Parker, M. H. ....	Dem.....	Jefferson.....	Boulder
*Roberts, C. B. ....	Rep.....	Lincoln.....	Fortine
Slayton, Daniel W. ....	Rep.....	Musselshell.....	Lavina
Smith, Park .....	Rep.....	Lewis & Clark.....	Helena
*Stevens, Geo. H. ....	Rep.....	Chouteau.....	Fort Benton
Taylor, L. E. ....	Rep.....	Blaine.....	Lloyd
*Whiteside, Fred .....	Dem.....	Flathead.....	Kalispell
*Willett, O. G. ....	Rep.....	Mineral.....	Alberton
Williams, Charles H. ....	Rep.....	Powell.....	Deer Lodge

\*Holdovers. Elected in 1914.

J. FRANK CONE, Secretary.



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	of 1909, an Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof and the management, protection and disposition of the timber growing thereon, and the coal, oil and mineral therein; providing for the management and control of the funds realized from the sale and rental of state lands, and the products thereof; naming and providing for certain officers subordinate to the State Board of Land Commissioners and prescribing their duties and compensation; providing for the acquisition of water rights for use upon state lands; defining and providing for the punishment of certain offenses for violating the provisions of this Act.....	84, 85, 105, 124, 152, 153, 157, 162, 180, 202, 219, 244, 263, 269.
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70	An Act providing how penalties and interest on delinquent taxes and assessments shall be apportioned.....	85, 118, 144, 164, 165, 171, 190, 259.
71	An Act to provide free text books for the use of the pupils of the Public Schools and High Schools, at the expense of the districts, and to require the trustees and school boards of each district to purchase same and make rules governing the use of said books, and to allow them sold at cost for use of pupils when desired by parents or guardians; and to amend Section 1811, Chapter 76 Laws of the Thirteenth Legislative Assembly. ....	85, 124, 153, 173, 187, 192, 219, 231, 258, 267, 269, 275, 282, 285.
72	An Act to prohibit the driving, placing or imbedding of spikes, nails or other metallic substances, stone or rock, in saw logs intended for manufacture into lumber or other timber products and prescribing the penalties therefor. ....	85, 124, 156, 183, 187, 189, 209, 234, 243, 272, 283, 295, 325, 342, 343, 376, 398, 439, 442, 472, 479, 481, 496, 497.
73	An Act providing for the redemption of property sold under mortgage foreclosure proceedings, or under a power of sale conferred in a mortgage deed, deed of trust, or other conveyance of real property executed to secure a debt, or other obligation, and to add a Section to Chapter I, Part 2, Title IX of the Revised Codes of Montana, 1907, to be known as Section 6864 A.....	85, 287, 375, 392, 395, 404, 468.



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74	An Act to authorize and empower any city or town organized under the laws of Montana to receive and take by gift, donation, grant, devise or bequest, any property, real, personal or mixed or any improved or unimproved park or playground, or any water or water right, water reservoir or water shed, or any timber land or reserve, or any fish or game reserve in any part of the State of Montana, and to own, hold, work, and improve the same; and to authorize any person, company, co-partnership or corporation to make gifts, donations, grants, devises or bequests of any kind of property to any such city or town. ....	85, 112, 136, 153, 157, 163, 180, 203, 219, 222, 234, 251, 259, 269.
75	An Act to amend Section 3246 of the Revised Codes of Montana, 1907, relating to the compensation of city clerks. ....	85, 96.
76	An Act to extend and define the boundaries of Silver Bow county, and to alter the boundaries of Deer Lodge County to conform thereto. ....	91, 164, 165, 224, 233, 244, 262, 284, 294, 324, 330, 331, 357, 361.
77	An Act to allow a charge or penalty to be paid the shipper by railroad companies for delay in furnishing after a certain time after demand, any car or cars or facilities for shipment of freight, or for delay by the railroad companies in promptly transporting and delivering to the consignee any freight received by it for delivery and providing a penalty and Attorney fees.....	91, 396, 483, 502, 503.
78	An Act to amend Sections 786, 2196 and 2197 of the Revised Codes of Montana of 1907, relating to the investment of permanent common school funds and other permanent funds of the State of Montana, by changing the provisions governing the investment of such funds, and adding provisions thereto so that the earnings of such funds shall be increased and repealing all laws or parts of laws in conflict with this Act. ....	91, 448.
79	An Act to amend Section 3855, Laws of 1907, so that certain assignments of stock certificates shall be considered prima facie evidence of fraud when writs of attachment or writs of execution are levied on said stock. ....	91, 156, 188, 209, 234, 244, 272, 283.
80	An Act to amend Section 7166 of the Revised Codes and providing for the assessment of an attorney's fee in actions for the foreclosure of liens of mechanics and others upon real property. ....	98, 104, 124, 152, 153, 157, 162, 180, 202.
81	An Act providing for the installation of sanitary drinking fountains in all hotels, located in towns or cities in this State wherein a water works system has been or may hereafter be installed and providing penalties for failure	

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	to comply herewith. ....	98, 132, 181, 206, 224, 264, 273, 299, 337, 399, 443.
82	An Act to amend Section 7731 of the Revised Codes of 1907, relating to the payment of inheritance tax to County Treasurers and receipts. ....	98, 176, 224, 233, 244, 263, 284, 401, 411, 413, 430, 444.
83	An Act providing for an 8-hour day for all employees earning wages, and extra compensation for overtime. ....	98, 332, 412, 419, 420.
84	An Act to amend Chapter 110 of the Laws of the Twelfth Legislative Assembly of the State of Montana, defining itinerant vendors; to regulate the licensing of the same; to fix the amount of such license; to provide for penalties for violation of such regulation and for other purposes. ....	98, 144, 187, 207, 234, 243.
85	An Act changing and defining the boundaries of Yellowstone and Stillwater counties. ....	99, 164, 174.
86	An Act to amend Section 3169 of the Revised Codes of Montana of 1907, relating to the fees of the Clerk of the District Court. ....	99, 176, 224, 233, 244, 262, 284, 560, 567, 568, 598, 601, 617, 633, 634, 637.
87	An Act to provide for an additional Judge for the Tenth Judicial District of the State of Montana so that there will be two judges in said district. ....	102, 118, 144, 164, 165, 171, 190, 283, 286, 300, 306, 324, 397, 423.
88	An Act to establish a State School for girls, prescribing its objects and purposes, providing for its location site, buildings and improvements, maintenance and management, prescribing commitments thereto, appeals, commutations, paroles and discharges, laws for fugitives, aiding escapes and penalties therefor; providing for materials, supplies and appropriations for all said purposes, also for empowering the State Board of Land Commissioners to lease either land or buildings, or both, for the same. ....	105, 124, 304, 344.
89	An Act to provide ways and means of compelling support of a wife, child or children, ward or wards by the husband, father or guardian, and providing penalties for failure to so provide. ....	105, 174, 224, 233, 244, 262, 284, 322, 337, 383, 440, 514, 536, 544, 550, 568, 575.
90	An Act to provide for the payment to Thomas Daly of the sum of Twelve Hundred Dollars for re-imbursement of moneys paid by him in satisfaction of a judgment for Twenty-five Hundred Dollars rendered against him for damages in performance of his duties as a deputy	



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	State fire marshal. ....	105, 225, 286, 313, 316, 329, 361, 440, 514, 515, 520, 528, 550, 568, 575.
91	An Act making the Board of Railroad Commissioners of the State of Montana ex-officio a public service commission for the regulation and control of certain public utilities, prescribing the manner in which such public utilities shall be regulated and controlled, requiring such public utilities to furnish reasonably adequate service and facilities, prohibiting unjust and unreasonable charges for services rendered by such public utilities, providing penalties for violation of the provisions of this Act, authorizing such public service commission to appoint an expert engineer and to employ clerks and assistants and making an appropriation for carrying out the provisions of this Act approved March 4, 1913. ....	105, 278, 354, 391, 408, 513, 517, 567, 581, 583, 598.
92	An Act prohibiting the herding of sheep within certain limits, and providing a penalty for the violation thereof. ....	106, 132, 518.
93	An Act relating to the grazing of sheep on cattle ranges and declaring the same to be a misdemeanor. ....	106, 132.
94	An Act to amend Section 546 of the Revised Codes of 1907, relating to ballots and voting and providing for the furnishing of official ballots and sample ballots by the County Clerk and general elections held in the State. ....	106, 131, 424, 483, 602, 605, 612, 613, 617, 629.
95	An Act to provide for the extension of incorporated cities and towns and repealing all Acts and parts of Acts in conflict therewith. ....	106, 212, 251, 265, 273, 299.
96	An Act to amend subdivision 1 of Section 2 and to amend Section 4 and subdivision 1 of Section 2 of Chapter 73 of the Acts of the Legislative Assembly of Montana, known as the "Montana State Motor Vehicle Law," approved March 12, 1913, being entitled "An Act providing for the registration, identification and regulation of motor vehicles operated and driven upon the public roads and highways of the State, and providing for the collection and disbursement of such registration fees and for the creation of a road maintenance fund and providing that a portion of such fees shall be paid into such fund for such purposes. ....	113, 378.
97	An Act to amend Section 4076 of the Revised Codes of the State of Montana, 1907. ....	113, 133, 151, 176, 224, 233, 244, 262, 284, 440, 514, 518, 529, 544, 550, 568, 596.
98	An Act to amend Sections 1611, 1613 and 1618 of the Revised Statutes of the State of Montana relating to the regulation of the practice of optometry, and to pre-	

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	vent ignorant, unprofessional or incompetent persons from practicing same. ....	113, 117, 156, 172, 173, 187, 192, 219, 294, 323, 338, 399, 513, 515, 520, 536, 544, 550, 568, 575.
99	An Act to amend Section 13 of Chapter 122 of the Session Laws of the 14th Legislative Assembly, relating to the registration of electors, and change of voting precincts. ....	113, 131, 424, 483, 530, 535, 538, 546, 547.
100	An Act creating a mother's pension and to provide thereby financial aid in the care of dependent children in their own home, under the direct control of the mother of such children, whose father is dead or an inmate of some Montana State Institution, or who is physically or mentally unable to work and who has for a period of one year or more failed to provide for said child or children, or whose father has abandoned his family and such abandonment occurred while he was a resident of the State of Montana and has continued for more than one year and whose mother is financially unable to support such child or children and to repeal Sections 1, 2, 3, 4, 5, 6 and 7 of Chapter 86 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana of 1915. ....	113, 125, 156, 167, 366, 379, 479, 489, 593.
101	An Act appropriating money for the equipment and maintenance of the North Montana Agricultural and Manual Training school for the two years commencing March 1st, 1917, and ending February 28th, 1919. ....	114, 521.
102	An Act to amend Sections 1, 3, 4 and 5 and to repeal Section 12, Chapter 45, of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana relating to county libraries. ....	114, 348, 456, 457, 462, 497, 620, 621, 623, 628, 634, 637.
103	An Act to make available for use of the State Board of Health all funds deposited in the State Treasury to the credit of the State Board of Health maintenance fund. ....	114, 118, 144, 164, 174, 183, 204, 294, 323.
104	An Act appropriating money to the County of Silver Bow as a refund for money erroneously collected and paid into the State Treasury. ....	114, 253, 343, 348, 364, 368, 398, 522, 567, 572, 574, 577, 596.
105	An Act to amend Section 1288 of the Revised Codes relating to the commandant, rules, salaries, officers of the Montana Soldiers Home. ....	114, 187.
106	An Act to amend Section 3151 of the Civil Code of the State of Montana, 1907, relating to the investment of	



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	capital by savings banks. ....	114, 212, 269, 307, 316, 328, 360.
107	An Act to amend Section 3930 of the Civil Code of the State of Montana, 1907, relating to the investment of capital of trust companies. ....	114, 212, 269, 307, 316, 330, 361.
108	An Act prohibiting unfair competition or discrimination in the buying, selling, production, manufacturing or distribution of any commodity or product in general use and providing a penalty for the infraction of the provisions thereof, and providing that complaints may be made to the Attorney General of any violation of this Act by any corporation, and requiring the Attorney General to forthwith investigate such complaint and to prosecute such corporation if the facts ascertained by him warrant such prosecution and providing for the annulment by the court of the charter of any corporation found guilty of unfair competition or discrimination.....	119, 144, 181, 207, 507.
109	An Act to amend Sections 3457, 3461, 3462 and 3463 of the Revised Codes of Montana, 1907, relating to the issuance of bonds by cities and towns.....	119, 133, 181, 205, 211, 240, 272, 293, 323, 512, 522.
110	An Act to submit to the qualified electors of the State of Montana an amendment to Section 1, of Article XII of the Constitution of the State of Montana, relating to revenue and taxation and providing for the imposition of taxes on incomes and privileges. ....	119, 334, 456, 510.
111	An Act to amend Section 5031, Revised Codes of Montana, 1907, providing for the negotiability of promissory notes secured by mortgage. ....	119, 176.
112	An Act to prevent infant blindness caused by the preventable disease known as ophthalma neonatorum.....	119, 132, 181, 193, 194, 211, 240, 272, 294, 323.
113	An Act to amend Section 6339 Code of Civil Procedure Revised Codes of Montana, 1907, exempting from jury duty regularly licensed embalmers and undertakers.....	119, 144, 181, 207, 211, 240, 272, 294, 324, 330, 331, 357, 361.
114	An Act to amend Section 8293 of the Revised Codes of the State of Montana of 1907, relating to penalty for murder in the first degree. ....	125, 133.
115	An Act providing for the levy and collection of a tax upon income, to be known as the State Income Tax law. ....	125, 334, 470, 510.
116	An Act making the theft of electric driven and motor driven vehicles and motorcycles a felony and to provide a penalty therefor. ....	125, 133.
117	An Act to amend Chapters III, IV and VI of Chapter	

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	141 of the Session Laws of the Fourteenth Legislative Assembly, the same being an amendment of Chapter 72 of the Session Laws of 1913, known as the General Highway law, and relating to the classification and permanent improvement of public highways, and repealing Section 1402 of the Revised Codes of Montana of 1907. ....	125, 378.
118	An Act to amend Section 8346 of the Revised Codes of the State of Montana of 1907, relating to child abandonment and making it a penalty for the parent of a legitimate or illegitimate child to desert said child or children with the intent wholly to abandon it or by act of said parent does wholly abandon said child or children. ....	125, 174.
119	An Act to establish in the State University of Montana a department for the Instruction of public accountancy, and to make provision for the support thereof, and to regulate the practice of the profession of public accountancy, and providing a penalty and punishment therefor and repealing all of the provisions of Chapter 39 of the laws enacted by the Eleventh Legislative Assembly of the State of Montana being an Act entitled, "An Act to regulate the practice of the profession of public accountancy. ....	125, 425, 483.
120	An Act to provide a punishment for the malicious and promiscuous throwing of glass and broken bottles on roads and highways of the State of Montana. ....	126, 250.
121	An Act to create a fund in cities of the State of Montana having a police department, to be known as the police relief and pension fund, for the benefit of policemen and their families; and to provide for the organization, government and control thereof; to provide punishment for the violation of the provisions of this Act; to authorize cities to levy an annual tax for the benefit of such fund and to set apart annually for the benefit of such fund a percentage of the fines collected in money in the police court; to authorize the Board of Trustees of such fund to acquire money for the benefit of such fund from interest, rents, rewards to members of the police department, and monthly dues from such members and from any other source, and to receive and take property, real or personal, by donation, gift, grant, devise or bequest for the use and benefit of such fund, and to authorize and permit gifts, grants, donations, bequests, devises and testamentary disposition to be made to such Board of Trustees for the benefit of such fund. ....	134, 212, 274, 307, 316, 327, 360, 617, 626.
122	An Act to provide for a uniform traffic regulation in cities and towns throughout the State of Montana for street cars, electric driven, motor driven and horse drawn vehicles, motorcycles and bicycles. ....	134, 252, 264.



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123	An Act establishing and defining the boundary line between Dawson County and Rosebud County, State of Montana. ....	134, 174, 224, 234, 244, 261, 284, 293, 324, 341, 361, 384, 397.
124	An Act appropriating money for the maintenance of the State Board of Poultry Husbandry for the two years commencing March 1, 1917, and ending February 28, 1919. ....	134, 253.
125	An Act to amend Chapter XXII of the Revised Codes of Montana of 1907, by repealing all of Sections 2112, 2113, 2114, 2115, 2116, 2117, 2118 and providing for an Act relating to the inspection of petroleum products, appointment of inspectors, fees and salaries of inspectors and prohibiting the sale of adulterated oils and gasoline and providing penalties for violation thereof. ....	134, 423, 500, 530, 548, 561, 568.
126	An Act to amend Section 4312, of the Revised Codes of the State of Montana, 1907, relating to the penalty for failure to keep record of stock killed or injured by railway companies as provided for in Section 4311. ....	134, 370, 470, 471, 475, 496.
127	An Act to authorize and empower cities and towns to construct, maintain, establish and operate, within their limits, swimming pools, skating rinks and playgrounds, to defray the costs and expenses thereof from their park funds, and to provide necessary rules and regulations for the establishment, maintenance and use thereof. ....	135, 143, 181, 207, 211, 242, 272, 293, 323, 326, 343, 354, 361, 384, 397.
128	An Act to prohibit livestock from running at large in any city or within one (1) mile thereof, and in any incorporated town or within half (½) a mile thereof, and providing a penalty for the violation thereof. ....	135, 143, 182, 206, 211, 241, 272, 286, 322, 337, 384, 389, 435, 458, 470, 496.
129	An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 6 of Article XVI of the Constitution of the State of Montana relating to municipal corporations and officers. ....	135, 157.
130	An Act entitled, "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession in the State of Montana. ....	135, 250, 343, 347, 364, 368, 398, 442, 469, 512, 559, 567, 569, 570, 574, 578, 596.
131	An Act concerning the placement of homeless and dependent children, providing for reports, and fixing pen-	

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	alties. ....	135, 245, 313, 419, 420, 434, 454, 468, 497, 563.
132	An Act to regulate the hours of continuous employment of firemen in cities of the first and second class.....	135, 144, 187, 273, 299, 337, 511, 567, 571, 574, 577, 596.
133	An Act to amend Section 3 of Chapter 73 of the Session Laws of the State of Montana, and fixing the fees to be paid by incorporated cities and towns and by school districts of the first and second class into the fund known in the law as the State Examiners' fund.....	135, 156, 188, 209, 234, 244, 272, 359, 384, 390, 394, 402, 498.
134	An Act to amend Section 507 of Chapter 76, Session Laws of 1913, defining the duties of school trustees.....	146, 239.
135	An Act providing for the commission-manager plan of government for cities and towns, providing for the election of officers therein, defining their duties and powers and providing for their compensation.....	146, 216, 251, 354, 391, 397, 407, 468, 512, 560, 567, 611, 615.
136	An Act to amend Section 2 of Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, enumerating county officers and fixing the compensation of such officers according to the classification of counties.....	146.
137	An Act to amend Sections 3465, 3466, 3471, 3472 and 3478 of the Revised Codes of 1907, of Montana, relating to the laying out, surveying, platting and recording of any city or town, or any addition to any city or town or any tract of land within the limits of any city or town, or any townsite or any tract of land outside of the limits of any city or town sold in small tracts or acreage tracts less than the United States legal subdivision requiring sales to be made by reference to such plats and the numbers of such lots and blocks; to facilitate the transfer or taxation of such property and to prevent boundary disputes; providing for public parks within such platted and surveyed area; to promote and preserve the public welfare by prohibiting certain things hurtful to the comfort, safety and welfare of society by establishing such rules and regulations for the use, sale and management of property as may be conducive to public interest and providing penalties for the violation of such provisions. ....	146, 211, 274, 307, 316, 330, 361, 399, 514, 536, 544, 550, 568, 575.
138	An Act to appropriate money for the maintenance, improvement and operation of the fish hatcheries of the State of Montana and for the expense of the Montana	



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	fish commission and purchase of equipment.....	146, 184, 224, 234, 244, 261, 284, 323, 337, 384, 390, 394, 397, 402.
139	An Act to amend Section 73, Chapter 120 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, "An Act to regulate the operation of all coal mines in the State of Montana, to provide for their inspection and the qualifications of inspectors and certain other employees of coal mines and to codify all laws with reference to the operation of all coal mines in the State of Montana, repealing Sections 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1710 and 2023, of the Revised Codes of the State of Montana, and Chapters 64 and 65 of the Laws of 1909.....	146, 340, 435.
140	An Act creating the Montana State Geological survey, providing for the issuance of pamphlets on the mineral resources of the State for the information of the general public, and appropriating money for the carrying out of the provisions of this Act. ....	146, 333, 433, 457, 459, 461, 497, 597.
141	An Act authorizing the Board of Railroad Commissioners to appoint an attorney to act in that capacity for and under the direction of the Board of Railroad Commissioners and Public Service Commission of the State of Montana, and defining the duties and fixing the salary of such attorney. ....	146, 226.
142	An Act to amend Sections 9391, 9393 and 9394 of Chapter 2, Title IX Penal Code of the Revised Codes of the State of Montana, 1907, changing place of execution of the death penalty from the County in which defendant was sentenced to the State penitentiary, and prescribing return on death warrant. ....	146, 156, 195, 233, 244, 261, 284.
143	An Act to amend Section 8346 Revised Codes of 1907, concerning the desertion or abandonment of children and prescribing penalties. ....	147, 175, 224, 233, 244, 260, 284, 322, 337, 383, 440, 514, 528, 550, 568, 596.
144	An Act to create a tax and license commission and prescribing its powers and duties. ....	147, 334, 435, 457, 459, 462, 498, 565, 585, 611, 628, 629, 635.
145	An Act to provide for the placing of dimmers on lights of all electric or motor driven vehicles and motorcycles.	151, 249, 318, 342, 348, 363, 398, 442.
146	An Act to amend Section 3114 of the Revised Statutes of 1907, and to allow Justices of the Peace who are admitted to practice in Courts of Record to practice their profession in said Courts of Record.....	151, 157.

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147	An Act to appropriate money for the construction of a building to be used for women and educational exhibits at the State Fair and to provide for permanent plan for the development of said fair. ....	157, 305, 338.
148	An Act for the submission to the qualified electors of the State of Montana of an amendment to Section Six of Article XIII of the Constitution of the State of Montana, relating to indebtedness of cities, towns, townships and school districts. ....	157, 176, 224, 233, 244, 260, 284, 565.
149	An Act to amend Chapter 17 of the Revised Codes of Montana, 1907, relating to toll for grinding grain, amending Sections 2092, 2093 and 2094 of the Revised Codes of Montana, 1907, relating to the duties of persons engaged in operating flouring mills, conferring upon the public service commission certain powers and duties, and providing penalties for the violation of the provisions hereof. ....	157, 211, 269, 289, 300, 325, 360, 480.
150	An Act to regulate the manner of sales of real estate under a power of sale in mortgages, providing for redemption therefrom and providing a method for the ascertainment of attorney fees when property is sold under mortgage by virtue of a power of sale therein contained, and to repeal all Acts and parts of Acts in conflict herewith. ....	157, 365, 470, 471, 474, 496, 566, 597, 636, 637, 638.
151	An Act to provide for the payment of wages of employees and to provide penalties for the violations hereof. ....	157, 175, 178, 224, 234.
152	An Act to amend Section 3342 of the Revised Codes of 1907, as amended by Chapter 103 of the Session Laws of 1911, relating to the amount of taxes to be assessed and levied by municipalities for general municipal and administrative purposes, and for the purpose of maintaining public parks. ....	157, 187, 245, 264, 273, 300, 337, 382, 401, 411, 413, 430, 444.
153	An Act authorizing cities and towns to regulate motor vehicles and to prescribe penalties for violation of such regulations. ....	157, 212, 251, 265, 273, 300, 337, 382, 401, 411, 413, 444, 534.
154	An Act to provide for party nominations by direct vote, to establish a system of voting by mail at such primary elections, to provide a method for the counting and canvassing of such vote; providing punishment for violation hereof; and repealing all Acts and parts of Acts in conflict herewith. ....	158, 424, 483, 548, 551.
155	An Act to create herd districts and prevent livestock running at large in established herd districts and to provide for the fining and collection of damages from stock	



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156	An Act to provide for the storing of flood water, and giving to the person erecting storage works or dams the right to the use and ownership of water so stored.....	166, 196, 414, 483, 517, 518, 519, 520, 637.
157	An Act to amend Sections 1, 2 and 3 of Chapter 139 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, providing for the creation, organization and classification of new counties, for locating county seats, and for the election and appointment of officers. ....	166, 188, 251, 265.
158	An Act providing for the inspection of refined petroleum, illuminating oils, gasoline and others; low flash test petroleum products, providing for the ports of entry, appointment of a State inspector of oils and deputies, fixing the salaries of the same and defining chemical and other tests. ....	166, 423.
159	An Act relating to delivery of express matter by express companies at addresses within the corporate boundaries of any city of the first, second or third class, and providing penalties for violations hereof.....	166, 317, 397, 418, 431, 467, 524.
160	An Act to amend Section 9293 of the Revised Codes of the State of Montana of 1907, relating to the penalty for murder. ....	166, 175, 226, 238, 245.
161	An Act providing for the levy of school district taxes in excess of ten mills when authorized by a vote of the qualified electors of such districts who are tax-paying freeholders therein. ....	166, 176, 224, 233, 244, 260, 284, 339, 399, 514, 528, 550, 568, 575.
162	An Act to prohibit the sale of intoxicating liquors in territory not embraced within the limits of incorporated cities or towns, providing for the enforcements thereof, prohibiting issuance of licenses therefor and prescribing penalties for its violation. ....	166, 195, 245, 269, 275.
163	An Act providing regulations regarding railroads operating in the State of Montana, to promote the safety of employees and of the traveling public upon railroads, by prohibiting persons, firms and corporations, operating railroads in this State, and certain of their officers and employees from requiring or permitting certain employees to receive, deliver or transmit by means of any telephone or telegraph instrument, orders for the movements of trains or cars except in certain cases in this	

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164	An Act to provide for the letting of contracts for public printing, fixing the price therefor, providing a penalty for violation of this Act, and to repeal Section 2897 of the Revised Codes of the State of Montana for 1907. ....	166, 251, 367, 391, 415, 416, 468, 523, 543, 549, 558, 559, 597, 611, 615.
165	An Act relating to the practice of pharmacy in the State of Montana and authorizing the registration as assistant register pharmacist, or as registered pharmacists by the State Board of Pharmacy of the State of Montana of persons who present diplomas of graduation from the School of Pharmacy of the University of Montana and pay the regular fees for such registration. ....	166, 224, 286, 308, 381, 470, 477, 485, 487.
166	An Act to amend Section 3454 of the Revised Codes of Montana, 1907, relating to elections and qualifications of voters. ....	167, 176, 224, 233, 244, 260, 281, 323, 337.
167	A Bill for the purpose of commemorating the explorations of the Lewis and Clark expedition and to aid in the erection of heroic bronze statues of Meriwether Lewis and William Clark at the Great Falls and at the Three Forks of the Missouri river, providing for the creation of the Lewis and Clark Memorial commission and making appropriations therefor. ....	167, 304, 422, 434, 454, 497, 618, 620, 627, 636, 637, 638.
168	An Act to amend Section 50 of Chapter 89, Session Laws 1915, being an Act entitled, "An Act regulating the business of banking, providing for the creation and regulation of banking corporations, creating the department of banking and prescribing the duties and fixing the salaries of its officers and employees, and repealing Title 2, Part 4, of Division 1, of the Civil Code of Montana, entitled 'Banks and Banking Corporations,' being the provisions of Sections 3909 to 4015, both numbers inclusive, Revised Codes of Montana, 1907, and all Acts amendatory thereof. ....	167, 212, 269, 307, 316, 326, 360.
169	An Act for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana, by adding thereto a Section relating to the consolidation of city and county governments. ....	176, 437, 483, 527, 528.
170	An Act to amend Paragraph Six of Section 5017 of the Revised Codes of 1907, relating to the validating of contracts not in writing, authorizing or employing agents or brokers to procure purchasers for real estate. ....	177, 198.

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171	An Act to amend Sections 2927, 2928, 2930, 2931 and 2932, of the Revised Codes of Montana, 1907, and Sections 2929 of the Revised Codes of Montana 1907, as amended by Section 3 of Chapter 30 of the Laws of the Twelfth Legislaive Assembly of the State of Montana, relating to county fairs in counties of the State, appointing a fair commission by the County Commissioners, defining the duties and compensation of such fair commissioners, providing for a tax, the appropriation of money for the purchase, holding and improving of lands for the maintenance of a county fair, providing for the disbursement of such moneys, to provide for county exhibits at the State Fair and making the County Treasurer ex-officio the Treasurer of such County Fair Associations; repealing Sections 1 and 2 of Chapter 30 of the Twelfth Session Laws of Montana and repealing Chapter 124 of the Laws of the Thirteenth Legislative Assembly of the State of Montana. ....	177, 253, 343, 364, 368, 398, 442, 473, 566, 585, 588, 624, 635.
172	An Act to amend Sections 1 and 4, Chapter 11, of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana entitled, An Act to amend Chapter 72 of the Session Laws of 1913, the same being known as the General Highway Laws and relating to the classification and permanent improvement of public highways. ....	177, 348, 378.
173	An Act to authorize and regulate the practice of chiropractic, to provide for licensing and examination of chiropractors, to create a state board of examination and registration, to provide for the appointment of same, to establish rules and regulations governing said board, to provide a curriculum and establish a fee for examination to provide for the disposal of the fund arising from said fees, to regulate the holding of meetings of said board and issuance of license to practice chiropractic, to provide a penalty for practicing chiropractic without a license as provided by this Act.....	177, 196, 482.
174	An Act to amend Section 9812 of the Revised Codes of 1907, of the State of Montana, relating to aiding or abetting or concealing or harboring escapes from the Montana State Industrial school. ....	177, 195, 245, 264, 273, 300, 384, 390, 394, 397, 402.
175	An Act to amend Section 9810 of the Revised Codes of the State of Montana, relating to release, parole or pardon of the inmates of the Montana Industrial school. ....	177, 197, 251, 265, 273, 301, 338, 384, 390, 394, 397, 402, 482.
176	An Act amending Section 8416 of the Revised Codes of Montana of 1907, prohibiting gambling games and pro-	



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	viding a penalty for the violation thereof.....	177, 213, 251, 265, 273, 301, 337, 399, 482, 513, 515, 520, 528, 550.
177	An Act providing for the leasing and granting of easements on the rights of way over lands owned by the State of Montana lying between low and high water mark of any navigable lake and repealing Chapter 124 of the Session Laws of the Twelfth Legislative Assembly. ....	177, 197, 251, 265, 274, 288.
178	An Act to provide for liens on monuments, grave stones and cemetery structures in favor of persons or corporations furnishing the same. ....	178, 197, 482.
179	An Act to establish a State Normal School at Lewistown, Montana, which shall be known as the Central Montana State Normal School, to make same a part of the Montana University and providing for the regulation, location and control; making appropriations for its equipment and maintenance and to provide for the necessary buildings for the same and amending subsection (1) of Section 106 and Subsection (2), Subdivision (b) 1 of Section 108 of Chapter 76 of the Laws of the Thirteenth Session of Montana. ....	178, 369, 470, 471, 478, 485, 487.
180	An Act to amend Section 1808 of the Revised Codes of Montana, 1907, relating to the inspection of horses when moved from one county to another within the State. ....	178, 267, 318, 397, 419, 431, 467, 482, 512, 565, 585, 588, 590, 593, 601, 619.
181	An Act to amend Section I of Chapter 45 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, "An Act to provide for library extension through the establishment and maintenance of county free libraries. ....	184, 349.
182	An Act to prohibit deputy State officers and other employees of the State from engaging in business that will cause unfair competition to prevent such persons who travel at the expense of the State from engaging in the business of purchasing, selling, storing or manufacturing articles of commerce, farm, dairy or other products, or engaging in the business of insurance, bonding, trading, manufacturing or other lines of business or occupation, save and except the duties required of them by law, and to prevent said State officers and employees from acting as agents of those who are engaged in said pursuits and industries, and to punish those who violate the provisions of this Act. ....	184, 197, 251, 265, 273, 301, 337, 384, 482.
183	An Act authorizing the assignment by County Treasurers of duplicate certificate of tax sale issued to counties on	

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	sales of property for taxes. ....	188, 197, 251, 265, 274, 207, 316, 328, 360, 577, 585, 633, 635.
184	An Act to regulate and govern the sanitary conditions under which wall paper, or substitute wall covering, shall be placed on the walls of rooms in tenement houses or other houses owned or maintained for rent, and to make a violation of any of the provisions of this Act a misdemeanor. ....	188, 318, 397, 418, 431, 467, 511, 567, 571, 574, 577, 596.
185	An Act to amend Section 4466 of the Revised Codes of Montana of 1907, relating to the length of time valid leases on city lots may be given. ....	188, 196.
186	An Act requiring the Scandinavian languages to be taught at the State University at Missoula, and at the Agricultural college at Bozeman. ....	188, 239, 286, 482, 512.
187	An Act to establish a State Normal college at Sidney, Richland County, Montana, which shall be known as the Eastern Montana State Normal college, to make the same a part of the University of Montana, and to provide an appropriation with which to build and equip same, and to provide for the maintenance and operation of said college. ....	188, 333.
188	An Act defining and prohibiting blacklisting and unlawful interference with laborers and providing for the punishment thereof and the recovery of damages therefor, defining what shall be accepted as evidence in blacklist cases. ....	189, 277, 482.
189	An Act requiring collection agencies to give a bond and providing a penalty for failure to do so. ....	189, 197, 482.
190	An Act to amend Subdivision 2 (a) and 2 (b) of Section 502 Chapter 76, of the Session Laws of Montana, 1913, providing how candidates for the office of trustee of school districts may be nominated, and repealing subdivision 3 (a) of Section 502 of Chapter 76 of the Session Laws of Montana of 1913. ....	189, 220, 286, 292, 465, 480, 568.
191	An Act relating to and providing for the inspection of boilers and regulation of the use thereof, the examination and licensing of engineers, the revocation of such licenses, devolving upon the industrial accident board the powers and duties of the inspector of boilers and of the Assistant Inspector of boilers, providing for the performance of the duties of said inspectors by said industrial accident board and by inspectors to be appointed by it, abolishing the offices of inspector of boilers, and of assistant inspector of boilers, and repealing laws in conflict therewith. ....	198, 340, 457, 461, 497, 631.

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192	An Act relating to and providing for the inspection and regulation of mines of all kinds in the State of Montana, devolving upon the industrial accident board the powers and duties of the Coal Mine Inspector and of the inspector of mines, providing for the performance of the duties of said inspectors by the said industrial accident board, and by inspectors to be appointed by it, abolishing the offices of inspector of mines and Coal Mine Inspector, and repealing laws in conflict herewith.	198, 249, 318, 342, 348, 362, 398, 443, 631.
193	An Act to amend Section 1564 of the Revised Codes of 1907, as the same appears after amendment by Chapter 66 of the Session Laws of the Twelfth Legislative Assembly, relating to the pollution of water supply.	198, 246, 313, 316, 327, 360, 382, 384, 390, 394, 398.
194	An Act to amend Section 2651 of the Revised Codes of Montana of 1907 relating to notice of application for tax deeds.	198, 226, 286, 308, 316, 327, 360, 384, 390, 394, 398, 402.
195	An Act to provide for the construction of a fish hatchery for the propagation of food fish and other fish in Park County, Montana, and to appropriate money therefor	198, 211, 251, 267, 274, 302, 306, 338, 399, 402, 482, 514, 528, 550, 568.
196	An Act amending Section 6784 of the Revised Codes of Montana of 1907, as amended by Chapter 135 of the Session Laws of 1915, and relating to exceptions.	198, 213, 269, 290, 300, 325, 360.
197	An Act to amend Section 8381 of the Revised Codes of Montana of 1907, relating to penalty for selling cigarettes to minors and adding a new section providing for a penalty for the use of cigarettes, cigars or tobacco by minors.	198, 213, 269, 289, 306.
198	An Act repealing Section 2778 of the Revised Codes of Montana, 1907, being a part of the Act enacted by the Legislative Assembly of the State of Montana, and known as the Political Code of the State of Montana, and being part of Part III, Title XII, Chapter XIII, Article II, providing for licenses of Architects, Builders, Contractors and manufacturers.	198, 238, 286, 313, 316, 328, 360, 466, 513.
199	An Act relating to the construction, operation, use and maintenance of all electrical construction appliances and apparatus, and providing a penalty for the violation thereof.	199, 239, 269, 291, 313, 375, 407, 468, 500, 511, 535, 585, 588, 593, 634, 637.
200	An Act to provide for the creation of a commission on uniform State laws, the appointment of commissioners	



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	thereto and the payment of the expenses of such commissioners. ....	199, 226, 238, 305.
201	An Act establishing the southeastern Montana State Normal School at Terry, Montana, defining the objects of its establishment, providing for the control, supervision and management thereof, and making an appropriation for the construction of the necessary buildings and the support and maintenance thereof. ....	199, 333.
202	An Act to provide for the vacation of streets and alleys, or portions thereof, in incorporated cities and towns in the State of Montana. ....	199, 317.
203	An Act relating to and providing for the inspection of dairies and the regulation of same, devolving upon the State Livestock Sanitary Board the duties of the State Dairy Commissioner and his deputies, providing for the performance of the duties of said State Dairy Commissioner and his deputies by said State Livestock Sanitary Board by inspectors to be appointed by it, and abolishing the offices of State Dairy Commissioner and Deputy Dairy Commissioners, and repealing laws in conflict herewith. ....	214, 365, 470, 477, 484, 496, 575.
204	An Act providing for the closing of saloons on Sundays, and prohibiting the sale of any kind of spirituous or malt liquors in incorporated and unincorporated cities, villages, towns and elsewhere, providing penalties for a violation thereof, and repealing Chapter 68 of the Session Laws of the Fourteenth Legislative Assembly.....	214, 305, 422, 434, 456, 460, 497, 512, 522.
205	An Act repealing an Act entitled, "An Act relating to grain elevators, grain warehouses, and places where grain is stored; establishing a State grain inspection department and a grain grading commission; providing for the appointment of a chief grain inspector, his deputies, and other employees, prescribing their duties and powers, and fixing their salaries and term of office; establishing licenses for conducting the business of public warehousemen, grain dealers, or track buyers; fixing the fees for inspection and weighing grain under the terms of this Act; substituting this Act for Chapter Forty-seven (47) of the Laws of the Thirteenth Legislative Assembly, and repealing said Chapter Forty-seven (47) but continuing the validity of the appointment of officers, bonds executed, and licenses issued thereunder, approved March 8, 1915, and to continue in force all rights and obligations and liabilities which might have accrued during the existence of said law or laws of which the same may have been amendatory.....	214, 340, 500.
206	An Act authorizing and requiring the county treasurers of the State of Montana to refund to persons holding unexpired liquor licenses on the thirty-first day of December, 1918, the amount of the unexpired portion of	

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	such licenses. ....	214, 225, 447.
207	An Act amending Chapter 78 of the Session Laws of the Thirteenth Assembly, entitled, "An Act to establish a Montana State Highway Commission, defining its duties and powers and providing for its compensation, providing for a State Highway Commission Fund and appropriating money therefor, amending Sections 1, 2, 3, 4, 5, 7, 11 and 12, and repealing Sections 6, 8, 9 and 10. ....	214, 375, 465, 470, 471, 472, 474, 478.
208	An Act to amend Section 6594 of the Revised Codes of Montana, relating to service of notice. ....	214, 225, 286, 308, 316, 330, 361.
209	An Act to amend Section 6244 of the Revised Codes of Montana, 1907, providing for two additional justices of the Supreme Court and providing for their appointment and term of office. ....	214, 225, 286, 308, 316, 329, 345.
210	An Act to abolish the offices of State Deputy Sealer of Weights and Measures and of inspectors of weights and measures, to devolve the duties and powers of said officers upon the Secretary of State and the County Clerks and Recorders respectively. ....	214.
211	An Act declaring all buildings and places nuisances wherein or upon which acts of lewdness, assignation or prostitution are held or occur, or which are used for such purposes, or wherein or upon which any gambling is conducted or carried on, contrary to any of the laws of the State of Montana, or wherein any wine rooms are maintained, contrary to Sections 8376, 8384, 8385 and 8386 of the Revised Codes of Montana 1907, or to any of the laws of the State of Montana, and providing for the abatement and prevention of such nuisances by injunction or otherwise. ....	214, 225, 286, 308, 316, 326, 330, 440, 514, 520, 528, 550, 568.
212	An Act authorizing the Board of Trustees of the State Law Library to appoint an assistant librarian in the State Law library, prescribing his qualifications and providing for his compensation. ....	215, 318.
213	An Act to provide for uniform names of postoffices and railway stations in the State of Montana and empowering the Board of Railroad Commissioners of the State of Montana to change the names of railway stations within the State of Montana having similar names and providing a penalty for failure to conform to the order of such Board. ....	215, 252, 378.
214	An Act providing for the lighting of all horse drawn vehicles on the public highways at night and providing penalty for violation thereof. ....	215, 248, 513.
215	An Act to equalize the opportunity for higher education to the youth of the State by authorizing the payment	

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	of traveling fare of students attending the institutions of the University of Montana, and making an appropriation therefor. ....	215, 304, 390, 392, 395, 405, 468, 549, 577, 597, 625, 633, 636.
216	An Act requiring all persons who keep or maintain a dairy farm or who sell milk or cream to secure a license; conferring duties upon the State Board of Health; and to provide a fee for such license; and to provide penalties for violation therefor. ....	215, 274, 307, 316, 329, 361, 399.
217	An Act to amend Section 79 of Chapter 1 of the Revised Codes of the State of Montana, 1915, by inserting after the words "Assistant Journal Clerk," the words "Assistant Enrolling Clerk and Assistant Engrossing Clerk." .....	215, 226, 286, 308, 316, 328, 361, 399, 513, 515, 518, 520, 523, 528, 550, 567.
218	An Act to provide for the construction of a fish hatchery for the propagation of food fish and other fish, in Ravalli County, Montana, and to appropriate money therefor. ....	215, 267, 333.
219	An Act to create the Eighteenth Judicial District of the State of Montana, to be composed of the counties of Teton and Toole; to change the boundaries of the Eighth Judicial District of the said State of Montana, to conform thereto; and to provide for the appointment, powers, duties, term and compensation of the judge of the said Eighteenth Judicial district. ....	223, 289, 367, 391.
220	An Act providing for the payment of tuition of high school pupils by the district of their residence to the district where the high school is maintained. ....	223.
221	An Act to amend Section 3618 of the Revised Codes of the State of Montana; providing for a marriage license fee of two (\$2.00) dollars to be paid into the State Board of Health maintenance fund, and authorizing the auditor to draw his warrant for claims against this fund. ....	223, 249, 318, 320, 342, 348, 364, 398, 442.
222	An Act to regulate the use of the term "co-operation, co-operator or farmer" when used as part of a corporated business name of title. ....	223, 409, 470, 472, 476, 496, 564, 585, 587, 593, 601, 619, 634.
223	An Act to create a child welfare division to be under the direct supervision of the State Board of Health, prescribing its duties and powers and providing for its maintenance. ....	223, 410, 470, 472, 476, 497, 626, 627, 634, 637.
224	An Act to amend Section 3259 of the Revised Codes of	



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	the State of Montana of 1907, relating to the powers of city and town councils. ....	223, 445, 492, 502, 506.
225	An Act to amend Sections 1803 and 1805 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to contracts for supplying basal and supplementary text books.....	223, 251, 367, 459, 463, 464, 498, 565, 585, 587, 590, 636, 637, 638.
226	An Act to provide Civil Service for certain employees of the State of Montana and the counties and cities thereof; to provide for a civil service commission and regulate its duties. ....	223, 447, 500.
227	An Act to provide for the appointment by district judges throughout the State of Probate Commissioners, and to provide for assistance to relieve the district courts of the State from over-burdened condition of probate calendars. ....	223, 365.
228	An Act to amend Sections 4, 5, 7 and 9 of Chapter 147 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, and Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof, and the management, protection and disposition of the timber growing thereon; and the coal, oil, and minerals therein; providing for the management and control of the funds realized from the sale and rental of State lands, and the products thereof; naming and providing for certain offices subordinate to the State Board of Land Commissioners and prescribing their duties and compensation; providing for the acquisition of water rights for use upon State land; and defining and providing for the punishment of certain offenses for violating the provisions of this Act. ....	223, 436.
229	An Act to amend Sections 800, 900, 903, 905, 906, 907, 908, 909 and 910, to repeal Sections 108, and Subdivision 7 of Section 106, and to add a new Section to be known as Section 911, of Chapter 76 of the Session Laws of 1913, providing for the certification of public school teachers, and establishing the State Board of Educational Examiners and establishing the Teachers Certificate fund, and providing for the expenditures of the same. ....	227, 370, 479, 490, 500, 501.
230	An Act to change the dates upon which the school year shall begin and end, and the dates upon which certain public school reports shall be rendered.....	236, 248, 343, 347, 364, 367, 398, 440, 513, 522, 563, 585, 587, 636, 637, 638.
231	An Act to amend Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly of the State of Mon-	

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	tana, said Chapter 112 being, "An Act to amend Sections 2957 and 3116 of the Revised Codes of Montana of 1907, entitled, "An Act enumerating county officers and fixing the compensation of such officers according to classification of counties, .....	236, 250, 343, 348.
232	An Act to provide for teacher training in certain accredited high schools, to license the graduates thereof to teach in the public schools of the State of Montana under certain conditions, and appropriating money thereof.	236, 304, 390, 393, 395, 405, 468, 513.
233	A Bill giving to the State Board of Health power to require the analysis of waters furnished and sold to the public and to provide rules and regulations for said analysis, and for the collection of samples of water, and to provide funds to cover the cost involved and to prescribe penalties for the violation of said rules and regulations. ....	236, 296, 390, 393, 395, 407, 435, 468, 482, 514, 528, 550, 568, 625.
234	An Act to amend Section 3 of Chapter 140 of the Montana Session Laws of 1915, relating to the compensation of owners of livestock afflicted with communicable or contagious diseases when said livestock is killed according to law, and making appropriations therefor and providing for a Board of Appraisers and fixing their compensation and the method of paying the same. ....	236.
235	An Act to amend Section 4416 of the Revised Codes of the State of Montana, relating to the annual statement of foreign corporations and joint stock companies, and to amend Section 1 of Chapter 140 of the Laws of the Eleventh Legislative Assembly of the State of Montana.	236, 370, 380, 508, 537.
236	An Act to amend Sections 7, 10 and 11, Chapter 130, Session Laws of 1911 relating to the sanitary condition of bakeries, confectionery shops, canneries, packing houses, slaughter houses, restaurants, noodle parlors, dining cars, lunch wagons or lunch counters; the method of procedure in condemning diseased meats; the issuing of licenses by the State Board of Health; and providing for inspections of such places of business.....	236, 296, 397, 418, 435, 453, 497.
237	An Act to amend Section 6551 of the Revised Codes of Montana of 1907, to-wit, of the Code of Civil Procedure, so as to provide for the pleading by any defendant of a cross complaint against any of the other parties to the suit as well as new parties, for the issuance of summons thereon and the service of summons and cross complaint for pleading thereto and against delays in connection therewith; and other purposes. ....	236, 365, 435, 457, 489.
238	An Act to amend Chapter 85 of the Session Laws of the Eleventh Legislative Assembly of 1907, and also to amend Section 3118 of the Revised Codes of Montana,	

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	of 1907, relative to the salary and compensation of deputy county officers and assistants. ....	236, 250.
239	An Act prohibiting unfair competition or discrimination in the buying, selling, production, manufacturing or distribution of any commodity or product in general use and providing a penalty for the infraction of the provision thereof, and providing that complaint may be made to the Attorney General of any violation of this Act by any corporation and requiring the Attorney General to forthwith investigate such complaint and to prosecute such corporation if the facts ascertained by him warrant such prosecution and providing for the amendment by the court of the Charter, of any corporation found guilty of unfair competition or discrimination. ....	236, 249, 318, 342, 348, 363, 398, 625, 627, 634, 637.
240	An Act to amend Paragraph 601, Chapter 6 of Chapter 76 of the Laws of the Thirteenth Legislative Assembly of the State of Montana, by adding the study of elementary agriculture to the course of study prescribed for elementary schools. ....	237, 248, 306, 342, 348, 364, 398, 440, 514, 528, 550, 568, 575.
241	An Act to regulate the sales of livestock on commission, to provide for the bonding of livestock commission houses, and sale yards, and providing for violation. ....	237.
242	An Act to provide for the publication, preservation and distribution of the debates and proceedings of the 1889 Constitutional convention, and to appropriate money to pay therefor. ....	237, 305, 393, 395, 403, 468, 513.
243	An Act to change the composition and membership of the Board known as "The Montana Highway Commission," to do away with one member thereof and abolish his office, to provide that in case of division of opinion between the two members of said commissioner designated as regular members of said commission, the Governor shall act as a member, or may appoint some other person to act, for the time being, as a member of said commission, and making provisions regarding the sessions of said commission and the compensation of persons acting on said commission, by amending Section 1 of the Act entitled, "An Act to establish a Montana State Highway Commission, defining its duties and powers and providing for its compensation; providing for a State Highway Commission fund and appropriating money therefor, approved March 13, 1913 and enacting additional provisions to effect the foregoing purposes. ....	237.
244	An Act appropriating the sum of Five Hundred Seven Dollars and thirty-three cents (\$507.33) to refund to certain retail liquor dealers in Richland county for un-	



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	expired portion of liquor license.....	237, 305, 389, 392, 395, 404, 468, 522, 567, 581, 583, 596, 598.
245	An Act providing how many times per week orders, rules, summons and notices shall be published when not otherwise prescribed. ....	237, 249, 318, 342, 348, 363, 398, 443, 514, 528, 550, 568, 575.
246	An Act defining mileage that may be collected by witnesses from another State or County.....	237, 249, 343, 347, 364, 368, 398, 441.
247	An Act to provide for a high school tax and to provide for high school instruction in all counties not having County High Schools. ....	237, 248, 306, 342, 348, 398, 440, 514, 528, 550, 568, 575.
248	An Act to provide for the districting of the third class school districts in each county, creating a rural school district in each county composed of all third class districts and parts thereof as a unit for the purposes of administration and taxation; providing for the creation of sub-districts of rural districts for the purpose of local administration; providing for Board of Trustees for rural school districts, and prescribing the manner of election, number, terms, powers and duties of said Boards of trustees; providing for the appointment of local trustees in sub-districts and prescribing the powers and duties of the same; providing for taking over of funds, property and indebtedness of third class districts by the rural school districts; providing for the assumption and payment of all indebtedness of third class districts by the rural school district, providing for bonding of school districts for payment of indebtedness; and providing the manner of acceptance of the provisions of this Act by the people of the several counties; providing for the creation of second class districts from the territory of the rural school districts providing for traveling expenses, salary, organization, and time of meeting of board of trustees of the rural school district. ....	237, 426, 500.
249	An Act to repeal Title XI of Part II of the Code of Civil Procedure of the Revised Codes of Montana of 1907, including therein Sections 6986 to 7091, inclusive of the Revised Codes, and to repeal said Sections, relating to proceedings in justices courts, and to enact in the place of said repealed title and sections a title to be known as Title XI of Part II of the Code of Civil Procedure of the Revised Codes of Montana of 1907 relating to proceedings in justices' courts, being a Code of Civil Procedure for justice courts, containing in said Title Chapters, Articles and Sections the Section numbers of the Title here enacted, taking the place of the numbers of said repealed sections. ....	244, 364, 409, 479, 530, 548, 554, 556.
250	An Act requiring the publication in official county papers	

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	of the lists of adulterated and misbranded foods, beverages, candies, drugs and other preparations and products as reported by the State Board of Health.....	245, 287, 367, 391, 418, 430, 467, 482, 514, 529, 544, 550, 568, 575.
251	An Act to amend Section 2957 of the Revised Codes of the State of Montana of 1907, as amended by Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly, relating to the enumeration of county offices and Section 3100 of the Revised Codes of the State of Montana of 1907, relating to the creation of the office of County Auditor within certain counties in the State of Montana. ....	245, 305.
252	An Act to repeal Section 4198 of the Revised Codes of Montana, 1907, relating to the taxation of property of building and loan associations and all Acts amendatory thereof. ....	253, 286, 287.
253	An Act providing that in an action to recover damages to the person, the Court or Judge may order a physical examination of the injured person by competent physicians or surgeons who may testify as witnesses in such action. ....	253, 286.
254	An Act to amend Section 9006 (1545), Revised Codes of Montana 1907, relating to the removal of public officers by summary proceedings by adding to such section a provision conferring certain powers upon the Governor in relation thereto. ....	254, 288.
255	An Act to amend Section 302 Subdivision 19 of Chapter 76 of the Session Laws of 1913, relating to the appointment of clerk, and adding Subdivision 20, relating to the appointment of a Deputy County Superintendent.....	254, 286.
256	An Act to regulate the sale and distribution of tuberculin. ....	254, 296, 391, 395, 405, 468, 482, 514, 528, 550, 568, 575.
257	An Act creating the office of State Inspector of Masonry, Public Buildings and Works, prescribing the qualifications and compensation of the incumbent thereof, and fixing and defining his duties. ....	254.
258	An Act relating to the admission, care and retention of feeble-minded persons and also persons afflicted with epilepsy to the Montana School for the Deaf and Blind at Boulder, Montana; to provide for court procedure, to commit persons thereto; to provide for the powers and duties of all officers connected therewith; to provide for the payment of certain expenses by the counties of the State; to make provision of the purchase of a farm in connection therewith; and to make appropriations to pay for the said farm and for building certain buildings; and defining the duties and powers of certain State boards. ....	254, 316, 450, 492, 502, 505.

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259	An Act for appropriating money from the County fund for the payment of certain bounty claims which were disallowed by the State Board of Examiners owing to technical errors in the proof. ....	254, 287, 354, 390, 395, 406, 468, 576.
260	An Act to abolish exemptions from attachment and execution in connection with contracts for common necessities of life. ....	254, 288.
261	An Act defining how mileage shall be computed.....	254, 288, 391, 395, 404, 468.
262	An Act to amend Section three of Chapter 140 of the Montana Session Laws of 1915 relating to the compensation of owners of live stock afflicted with communicable or contagious diseases when said live stock is killed according to law, and making appropriations therefor, and providing for a Board of Appraisers and fixing their compensation and the method of paying the same.....	254.
263	An Act providing for the safe investment of the State permanent Common School funds, and all other permanent State Educational, Charitable and penal institution funds in the securities herein designated; for the prompt collection of interest thereon; providing a method of procedure in making said investments to guard and protect such funds; and prescribing the duties and obligations of the various officers of the State in making said investments and repealing all laws and parts of laws in conflict herewith. ....	268, 367, 473, 474.
264	An Act concerning the examination and admission of attorneys and counsellors at law to practice law in this State, and concerning the trial and conduct of proceedings in actions for the suspension, or the disbarment from practice of such attorneys and counsellors; providing an annual license tax to be paid by all practicing attorneys and counsellors in this State, and methods of collecting the same, and penalties for violation of any provision of this Act; providing for the disposition and expenditure of all moneys collected under the provisions of this Act. ....	268, 288, 397, 418, 453, 497, 563, 570, 620, 634, 637.
265	An Act to alter boundaries between Rosebud County on one side and Yellowstone County on the other side and to fix and establish as far as possible said boundary lines on section lines; and to provide that each of said counties shall transcribe and certify the records thereof.	268, 317, 422, 435, 455, 497, 512, 567, 569, 570, 574, 578, 596.
266	An Act to repeal Chapter 81 of the Thirteenth Legislative Session, an Act providing that no license be required for moving picture shows in places having a population not exceeding one thousand five hundred.....	268, 288.



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267	An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution relating to County Commissioners. ....	268, 288, 389, 392, 395, 405, 468.
268	An Act to provide for the licensing of peddlers, hawkers, itinerant merchants and persons who travel from house to house carrying for sale, offering for sale, exposing for sale or soliciting orders by sample or catalogue for any goods, wares or merchandise, classifying the same, providing for application for, and a deposit of money in addition to, license fee, and prescribing length of time shall remain and be a deposit; providing that deposit shall be liable to attachment and execution by creditors of licenses; prescribing penalty for violation of Act, fixing amount to be paid for license; providing for collection of same; prescribing duties of County Treasurers and reference thereto, exempting peddlers of farm and agricultural products; and repealing conflicting Acts....	268, 357, 473, 478, 479, 483, 490, 499.
269	An Act to amend Section 435 of the Revised Codes of the State of Montana, of 1907, relating to payment of salaries of officers. ....	268, 288, 375, 391, 395, 407, 468, 512, 567, 572, 574, 577, 596.
270	An Act to amend Section 2 of Chapter 25, of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, "An Act to secure for threshermen a lien upon grain and other crops threshed by them for their compensation, and to provide for the filing and foreclosure of said liens. ....	268, 287, 375, 392, 395, 404, 468, 566, 585, 592, 601.
271	An Act to amend Section 1 of Chapter 8 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to unfair competition and discrimination, and providing penalty for the infraction of the provision thereof. ....	268.
272	An Act providing for a Code Commissioner, the appointment of same, the date of said appointment and his term and oath of office; the division of the Codes and indexing of same, the matter to be included therein, the identification of the Statutes, the powers and compensation of said commissioner, the annotation and form of publication of said Codes, the contract for the printing of same, the bond of contractors; the disposition of said Revised Codes and providing an appropriation for same. ....	273, 349, 470, 471, 491, 502, 505, 568.
273	An Act to prevent the adulteration of linseed or flaxseed oil, to prevent deception in the sale thereof, and to provide for the punishment of such adulteration and deception. ....	273, 296, 433, 456, 460, 497.
274	An Act to encourage patriotism and to cause those who	

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	would enjoy the pursuit of happiness and acquire prosperity in Montana to first manifest their intention to become citizens of the United States, and to that end prevent those who will not do so from seeking or accepting employment in Montana, and to prevent the people of Montana from hiring such persons, and to punish violations of this Act. ....	273, 289.
275	An Act creating a lien on motor vehicles for labor furnished, or machinery, supplies, materials or storage contributed, in making, altering, repairing, storing or otherwise caring for the same; and providing for the filing of a statement of such lien, the enforcing and foreclosure of the same. ....	273, 332, 422, 435, 455, 497, 563.
276	An Act to amend Section 23 of Chapter 140 of the laws enacted by the Twelfth Legislative Assembly of the State of Montana, and to add a new Section to said Chapter 140, to be numbered "Section 23 b," concerning the valuation of benefit certificates of fraternal benefit societies in force upon a basis designated "Accumulation Basis," prescribing the method of arriving at such valuation, and the financial condition which such society shall maintain, and conferring certain powers upon and prescribing certain duties to be performed by the State Commissioner of Insurance. ....	275, 365, 470, 471, 474, 496, 576, 585, 593, 601, 619.
277	An Act to amend Section 7891 of the Revised Codes of Montana of 1907, relating to witnesses, as amended by Chapter 66, Session Laws of 1909, and as amended by Chapter 41, Session Laws of 1913. ....	279, 448, 483, 502, 503, 506.
278	An Act to provide for the organization of vocational school units among school districts of the third class, for the teaching of agriculture and industrial subjects, and providing for a vocational school board for the management of the same and for the vocational school unit fund. ....	279, 427, 483.
279	An Act establishing and defining the boundary line between Musselshell County and Rosebud County, State of Montana. ....	280, 317, 412, 419, 433, 467, 512, 567, 571, 574, 577, 596.
280	An Act providing for the regulation of construction and control of certain public utilities requiring such public utilities to obtain certificates from the public service commission of Montana before the commencement of construction of a public utility that the public convenience and necessity require or will require such construction and providing for exceptions. ....	280, 345, 357, 473, 484, 490, 499.
281	An Act to create the County of River, designate its boundaries, and provide for its organization and government, and to change the boundaries of Sheridan County to	

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	conform thereto. ....	280, 415, 439, 453, 479, 584, 613, 617, 629.
282	An Act requiring Railway companies to provide and maintain stockyards at certain railway stations in the State of Montana, and to provide for convenience therein for feeding and watering stock, and providing for a penalty for the violation thereof. ....	280, 370, 492.
283	An Act to amend Section 6 of Chapter 108 of the Session Laws of 1909; an Act to regulate the public service of stallions and jacks in Montana. ....	280, 446.
284	An Act to amend Section XXIX of Chapter 147 of the Laws, Resolutions and Memorials of the State of Montana, passed at the Eleventh Regular Legislative Session, concerning the platting and disposition of State lands situated in or adjacent to cities and towns.....	280, 317, 397, 418, 430, 467, 566, 585, 593, 601, 619.
285	An Act to provide for teacher training in accredited County and district High Schools and to license the graduates thereof to teach under certain conditions. ....	280, 427, 483.
286	An Act providing for the retirement of public school teachers, and creating certain of these funds by contributions from teachers, investment of funds, gifts to funds, appropriations, and payments from county school funds; providing for the creation of a retirement board and prescribing the duties and powers of such board; providing for assistance and expenditures of such board in meeting and carrying out the provisions of this Act; providing for Teachers' Retirement Association and conditions of membership therein; and providing conditions under which teachers may receive annuities, equities, dividends and pensions from these funds. ....	280, 427, 500, 530, 554.
287	An Act prohibiting the exhibition and use of sacreligious, obscene, indecent, lewd, lascivious or immoral moving picture film or reel which tend to corrupt morals.....	280, 584.
288	An Act to repeal the law to provide for party nominations by direct vote, enacted by the people of the State of Montana at the general election held in November, 1913; also providing for the submission of the question of the repeal of said Act to the people at the general election to be held in November, 1918. ....	280, 345, 419, 420.
289	An Act providing that a sum equivalent to one-tenth of one mill on each dollar of valuation on real and personal property in each county in the State, shall be deducted annually by each county from the county school fund and set apart as a fund known as the public school teachers retirement salary fund: requiring the County Superintendent to deduct said sum from such County School fund before appropriating the revenue of the school district within the County; providing for such public school	

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	teachers' retirement salary fund so set apart to be remitted by the County Treasurer to the credit of the public school teachers retirement salary fund, in the hands of the State Treasury. ....	281, 427, 483, 517, 518, 519.
290	An Act appropriating money to pay the deficiency claim of Tom Driscoll for transporting prisoners to the State penitentiary January and February, 1915. ....	281, 334, 397, 419, 432, 467, 522, 567, 572, 574, 577, 596.
291	An Act to amend Section 201 Revised Codes of 1915, of the State of Montana, to change the name of rural school inspector to rural school supervisor and to provide for two rural school supervisors. ....	281, 336, 412, 473, 478, 485, 487.
292	An Act to provide for the classification of all privately owned lands in the State of Montana, by the various county assessors of the State. ....	281, 350.
293	An Act to accept the terms and provisions of the Federal Act giving aid to the several states for vocational education, etc. ....	281, 448, 456, 492.
294	An Act to establish a County Game Commission, to provide for the appointment, powers and duties thereof, and tenure of office of the members of the same, to provide for a county hunting license, the manner of issuing the same; and for the disposal of moneys received therefrom, and to provide for the propagation of game and game foods, and making it a misdemeanor to hunt without a county license. ....	281, 448.
295	An Act to provide for the assessment of the property of itinerant, transient or merchants salesmen of bankrupt stock, etc. ....	281, 317, 393, 412, 419, 433, 467, 511.
296	An Act providing for the extermination of gophers, and prescribing the manner in which the expenses of exterminating the same shall be paid. ....	281, 341, 456, 458, 466, 470, 496, 512, 567, 581, 583, 596, 598.
297	An Act to amend Section 4349 of the Revised Codes of Montana, 1907, concerning passenger rates charged by any railroad or railway company operating wholly or in part in the State of Montana. ....	281, 319.
298	An Act appropriating money to pay a judgment obtained against the State of Montana by William B. Pomeroy, together with the interest thereon, which judgment was entered in the District Court of Lewis and Clark County on the 12th day of September, 1913, and affirmed by the Supreme Court of the State of Montana on June 12, 1915. ....	281, 412, 477, 485, 562, 566, 576, 585, 593, 601, 619.
299	An Act prohibiting untrue, deceptive and misleading asser-	



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	tions, representation or statement of fact in advertisements within the State of Montana, and providing a penalty for the violation thereof. ....	292, 316.
300	An Act providing for the regulation of the business of using, operating and driving automobiles, auto stages, motor vehicles or motor busses for hire as common carriers on the public highways of the State; prescribing terms, conditions and restrictions of the use of the same; providing for licenses to carry on such business and the regulation thereof; making the violation of any of the provisions of this Act a misdemeanor and providing a penalty therefor, and repealing all Acts and parts of Acts in conflict herewith insofar as the same may be in conflict. ....	292, 490.
301	An Act to prohibit the sale of intoxicating liquors in territory not embraced within the limits of incorporated cities or towns, except in saloons located in health resorts or in towns where there is at the time of the passage of this Bill a regularly salaried deputy sheriff, providing for the enforcement thereof, prohibiting the issuance of licenses therefor and prescribing the penalties for its violation. ....	292, 380.
302	An Act to provide for the creation of a Board of Library Examiners, prescribing the duties of said Board and making an appropriation for the maintenance thereof.....	292, 349, 435, 457, 480.
303	An Act establishing and defining definitely the boundary line between Wibaux and Dawson Counties, Montana.....	292, 438, 483.
304	An Act to define the duties of the County Surveyor.....	292, 447.
305	An Act relating to and regulation of common carriers of passengers upon public streets, roads and highways, providing for the issuance of permits, and prescribing penalties for violation. ....	295, 321, 349, 433, 456, 460, 497, 511.
306	An Act making an appropriation for the purpose of defraying the expenses of making motion picture films of the members of the Senate, House of Representatives and attaches of the Fifteenth Legislative Assembly and officials and employees of the executive departments of the State of Montana. ....	295, 333.
307	An Act establishing a uniform tax on certain classes of personal property; providing for the manner of listing such personal property; providing the time within which such listing shall be filed with the County Assessor; providing for the manner of filing said listing; providing for the filing of such listing by the Assessor on default of the property owner and providing a penalty therefor; providing for the entry of the assessment and the review thereof by the Board of Equalization and providing for the computation of said taxes and providing for the manner of the collection of said taxes and the distribution thereof. ....	296, 352.

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308	An Act to appropriate money for the maintenance of the State Board of Poultry Husbandry for the two years commencing March 1, 1917, and ending February 28, 1919. ....	296, 333.
309	An Act to provide for the compilation and revision of the Codes and other laws of the State of Montana, providing for the appointment of a commission therefor, and providing for the publication of such Codes and for the compensation of such commission and to make an appropriation therefor. ....	302, 446.
310	An Act to create the County of Carter, designate its boundaries and provide for its organization and government, and to change the boundaries of Rosebud and Big Horn counties to conform thereto. ....	303, 414, 483, 569, 613, 617, 630.
311	An Act to promote the unity and to increase the effectiveness of the State educational system of the State of Montana by authorizing the University of Montana convocation, and to provide for the conduct of the same. ....	303, 428, 483, 518, 523, 529, 535.
312	An Act appropriating money for the deficiency claims of certain persons for services rendered, supplies furnished and fees erroneously paid, which claims were approved by the State Board of Examiners. ....	303, 315, 435, 458, 460, 497, 513, 576, 585, 633, 635.
313	An Act providing for the payment of deficiency claims for account of requisitions. ....	303, 315, 397, 418, 430, 468, 513, 620, 624, 635.
314	An Act providing for the payment of deficiency claims for account on public printing. ....	303, 315, 412, 419, 432, 467, 513, 517, 620, 636, 637, 638.
315	An Act providing for the payment of deficiency claims for the transportation of prisoners. ....	303, 316, 397, 419, 431, 467, 513, 620, 624, 635.
316	An Act providing for the payment of deficiency claims for account of expense of Judges. ....	303, 315, 412, 419, 432, 467, 513, 620, 633, 636.
317	An Act to fix the salary of the janitors of the State Capitol Building. ....	319, 444, 492, 527, 528.
318	An Act to appropriate fifteen hundred dollars to erect a monument marking the site of the discovery of gold in Alder Gulch, Madison County, and to commemorate that event and the discoverers. ....	319, 414, 473, 478, 485, 486.
319	An Act to amend Section 1 of Chapter 131 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, "An Act to protect the owners of cattle and to cause the inspection of the same	

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	before their removal from one county to another within the State of Montana. ....	319, 465, 492, 517, 518, 519.
320	An Act to create a permanent fund to be known as the "Anti-Hog Cholera Serum Fund," appropriating money from the general fund for the use of such fund, and prescribing the purpose for which such fund shall be used. ....	318, 412, 473, 478, 485, 487.
321	An Act relating to the powers and duties of constables and fixing their compensation. ....	319, 446.
322	An Act to amend Sections 1, 2 and 3 of Chapter 139 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, providing for the creation, organization and classification of new counties, for locating County seats, and for the election and appointment of officers. ....	319, 423, 483, 584, 613, 617, 629.
323	An Act making it an offense for any executive, legislative, judicial, ministerial, or other officer of this State, or any district, county, city or other political sub-division of the State to appoint or vote for the appointment of any person related to him by affinity or consanguinity within the third degree, to any clerkship, office, position, employment or duty in any department or office of the State, or of any district, county, city or other political subdivision of the State of which the person making or participating in the appointment may be an officer or employee, or to appoint any person so related to any other such office in consideration of the agreement or promise of such other officer to appoint any person so related to the officer making such appointment; prohibiting the payment of any public funds to any such ineligible person out of any public funds and providing for suitable punishment and removal from office for the violation of this Act. ....	319, 446.
324	An Act defining unlawful detainer. ....	320, 464.
325	An Act providing qualifications for conductors and flagmen, who shall be hereafter employed to work in the train service of any railroad or railway company, operating in whole or in part in the State of Montana. ....	320, 378, 464.
326	An Act to impose a State Corporation license tax upon corporations engaged in manufacturing, mining, transportation, or in any other industrial pursuits or in business of any kind in the State of Montana, and to provide for the enforcement thereof. ....	320, 334, 470.
327	An Act to amend Section 2763 of the Revised Codes of the State of Montana. ....	320, 350, 389, 392, 395, 406, 468, 512, 555, 561, 570, 574, 578.
328	An Act to regulate the use of artesian wells, to prevent	

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	the waste of water running therefrom and defining "Waste" as used for the purpose of this Act and to provide penalties for the violation of this Act.....	320, 393, 470, 471, 479, 483.
329	An Act creating and providing for County Athletic Commissioners in counties of the first class and regulating boxing and sparring contests in counties of the first class in the State of Montana. ....	320, 349, 459, 463, 464, 498, 512, 567, 581, 583, 598, 607.
330	An Act to provide for the segregation of common prostitutes and women of ill fame within certain boundaries, and providing a penalty for not conforming thereto; and providing a penalty for taking any female thereto who is not a common prostitute or woman of ill fame; and providing a method of police control of such persons; and repealing Sections 8376, 8398 and subdivisions 5 and 6 of Section 8825 of the Revised Codes of Montana, 1907. ....	320, 480, 500, 507, 569, 582, 583, 589, 590.
331	An Act providing for the appointment of a social agent for the office of the Attorney General, prescribing his duties, fixing his compensation, and making an appropriation for the payment of his compensation and expenses. ....	335, 450.
332	An Act prohibiting the herding of sheep within certain limits, and providing a penalty for the violation thereof.	335, 438, 483, 485.
333	An Act to amend Section 1 of Chapter 55 of the Session Laws of the Fourteenth Legislative Session of the State of Montana, relating to wagers. ....	335, 370, 458, 461, 497, 522, 567, 571, 574, 578, 583, 589.
334	An Act to define the powers and duties of County Surveyors, to provide for their compensation, and to create the office of County Engineer in counties of first class.	335, 447, 492, 517, 518, 519.
335	An Act to amend Section I Chapter 83 of the Session Laws of the Fourteenth Legislative Assembly, entitled "An Act permitting stockholders of co-operative associations to vote by mail and providing for the declaring of dividends and distribution of net earnings and extending the provisions of this Act to co-operative associations heretofore incorporated. ....	335, 408, 473, 484, 490, 500.
336	An Act to amend Section 175 of the Revised Codes of the State of Montana of 1907, relating to the salary of the State Auditor. ....	335, 436.
337	An Act to amend Section 186 of the Revised Codes of the State of Montana of 1907, relating to the salary of the State Treasurer. ....	335, 437.
338	An Act to amend subdivision 4 of Section 7892 of the Revised Codes of Montana, 1907, with reference to the	



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	examination of witnesses. ....	335, 444.
339	An Act providing that every liquor dealer's license shall expire on December 31, 1918, and making it the duty of every County Treasurer, County Clerk, City or Town Mayor, City or Town Clerk, and every City and Town Treasurer to issue such license to expire on December 31, 1918, to collect proportionally the license tax and to make reports and keep books of accounts accordingly. ....	335, 354, 456, 457, 462, 498, 618, 621, 624, 634, 637.
340	An Act relative to liens for service of stallions or jacks and providing penalties for the violation of this Act. ....	335, 437.
341	An Act establishing the Eastern Montana State Normal School, defining the objects of its establishment, providing for the control, supervision and management thereof, changing the name of the State Normal College located at Dillon, Montana, and making an appropriation for the construction of the necessary buildings and the support and maintenance thereof. ....	345, 380.
342	An Act appropriating the sum of Eight Thousand Dollars or so much thereof as may be necessary to pay the claim of Michael Hasquet for sheep which were killed or died from defective dipping by the authority of the State of Montana. ....	346, 413, 620.
343	An Act to provide for the construction of side tracks and spurs to elevators, warehouses, flouring mills, storage buildings and manufacturing plants and to provide for the location upon the right of way of any railroad company of any elevators, warehouses, flouring mills, storage buildings or manufacturing plants and to provide for the construction of side tracks between stations and fixing a penalty for the violation of the provisions of this Act, and repealing Section 7 of Chapter 43 of the Thirteenth Legislative Assembly of the State of Montana. ....	346, 509, 537.
344	An Act to provide and regulate the method of determining the amounts of dockage for waste to be allowed in all cases of disagreement between the buyer and seller as to the amount thereof, and to provide penalties for the violation thereof. ....	346, 444, 483.
345	An Act to license certain corporations for the exclusive use and benefit of the State of Montana, fixing the license fee engaging in business and providing a method of collecting such license fee, and repealing Section 2773 of the Revised Codes of the State of Montana of 1907 as amended by the Act approved March 1, 1911, entitled, "An Act to amend Section 2773 of the Revised Codes of the State of Montana of 1907 and Sections	

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	2774 and 2777 of the Revised Codes of Montana of 1907.	353, 355, 470, 490, 517, 523, 524, 525, 526, 529, 547, 562, 566, 575, 585, 586, 602, 605, 626.
346	An Act to amend Section 168 of the Revised Codes of the State of Montana of 1907, relating to the salary of the Secretary of State. ....	353, 411.
347	An Act providing for the destruction of Canada thistles, Scotch bull thistles; and Russian thistles; prescribing the duties of road supervisors in relation to the same; providing the manner in which such expenses of such destruction shall be paid; and repealing Sections 8871, 8872, 8873 and 8874 of the Revised Codes of 1907.....	353, 474.
348	An Act making all places where intoxicating liquors are manufactured, sold or given away in violation of the law common nuisance, and providing for the punishment for the maintaining for the abatement thereof and providing for the seizure, and destruction of such intoxicating liquors and fixtures. ....	353, 370, 459, 463, 464, 498, 524, 559, 567, 581, 583, 596, 598.
349	An Act providing a method for the assessment and collection of a license fee on express companies doing business in this State. ....	353, 355, 470, 509, 530, 535, 538, 538, 543, 547, 566, 575, 576, 597, 605, 611, 626.
350	An Act relating to funeral burial and benefit associations and declaring them to be insurance corporations.....	355, 408, 530.
351	An Act providing a method for the assessment and collection of a license fee on private car companies doing business in the State. ....	355, 377, 470, 509, 535, 536, 538, 543, 547, 562, 566, 575, 593, 597, 601, 619.
352	An Act relating to the State Board of Equalization, defining its power and prescribing its duties; making an appropriation therefor; and repealing Sections 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591 and 2592 of the Revised Codes of Montana of 1907.....	355, 409, 500, 520, 533, 569, 573, 579, 581, 585.
353	An Act appropriating the sum of Four Thousand Eight Hundred Dollars, or so much thereof as may be necessary to pay the claims of the duly elected delegates to the Democratic, Republican and Progressive national conventions held in the year 1915. ....	355, 450.
354	An Act directing the County Treasurer of each County in this State to collect a license tax of the owners and exhibitors of moving picture shows making exhibits in	

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	any city or town of the State; and authorizing cities to collect a similar or less tax repealing Chapter 81 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, "An Act providing that no license shall be required for moving picture shows in places having a population not exceeding one thousand five hundred." .....	355, 426, 483.
355	An Act to provide for the payment of grazing license fee, on sheep entering the State of Montana from other states or territories, and providing a penalty for the violation thereof. ....	356, 473, 492.
356	An Act to provide for the destruction of noxious weeds, providing for the destruction of same by County Commissioners and arranging for the assessment of the cost of same against the land, also defining the duties of County Commissioners relative to the destruction of all weeds growing upon the highways in the county.....	356, 490.
357	An Act enumerating noxious weeds, providing for their summary destruction and the method whereby such destruction shall be accomplished; fixing the duties of the Board of County Commissioners, Road Supervisors, County Attorney, Auditor and Treasurer in that behalf; and repealing Section 8871, 8872, 8873 and 8874 of Part I Title XVI, Chapter II of the Revised Codes of Montana, 1907. ....	356, 490, 534.
358	An Act to amend Section 1291 of the Revised Codes of Montana, 1907, as amended by Chapter 93 of the Laws of the Thirteenth Legislative Assembly relating to the admission into the State Home of Wives and widows of soldiers and sailors. ....	356, 410, 479, 489, 500, 501.
359	An Act to amend Chapter 123 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, "An Act empowering County Commissioners to create and establish special improvement districts in thickly populated localities outside the limits of incorporated towns and cities, for the purpose of constructing sanitary and storm sewers, installing lights and such other special improvements, that may be petitioned for by Sixty per cent (60%) of the freeholders affected by the same and authorizing such freeholders to hold a public meeting and elect three supervisors to such improvement district which said supervisors shall select a clerk to keep their records and said supervisors to have full charge of such improvement districts.....	356, 381, 470, 478, 484, 490, 499.
360	An Act to amend Section 6388 of Part I, Title V of the Revised Codes of Montana of 1907, relating to practicing law without a license and prescribing a penalty therefor. ....	356, 412, 470, 477, 489.
361	An Act to establish public highways along section lines and to provide for the opening and working of the same.....	356, 491.

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362	An Act to amend Section 203 of the Session Laws of the Thirteenth Legislative Assembly 1913, relating to the salary and expenses of the Superintendent of Public Instruction. ....	356, 424, 491.
363	An Act relating to the survey or re-survey of lands within the State of Montana, in which the United States land surveys are involved and providing the manner of marking the same, the marking of corners, and the making and filing of plats and field notes of such surveys or resurveys. ....	356, 474, 492.
364	An Act to amend Sections 500, 501, 502, 503, 504, 505, 510 and 512 of the Revised Codes of Montana of 1907, relating to judges and clerks of election and ballot boxes. ....	356, 411.
365	An Act to provide for uniform names of postoffices and railway stations in the State of Montana, and empowering the Board of Railroad Commissioners of the State of Montana to change the names of railway stations within the State of Montana having similar names and providing a penalty for failure to conform to the order of such board. ....	357, 425, 483.
366	An Act to provide for the disqualification of judges in criminal cases. ....	357, 410.
367	An Act to require the admission of the genuineness of papers and documents material to civil actions. ....	357, 411.
368	An Act to amend Section 4349 of the Revised Codes of 1907, relating to passenger rates to be charged by railroads within the State of Montana and the disposition of fines collected for the violation thereof, and repealing Section 4350 of the Revised Codes of 1907. ....	371, 377.
369	An Act requiring all persons, associations, companies and corporations maintaining, operating or conducting hotels, rooming houses, or lodging houses to first obtain a license therefor, providing for the manner of the issuance of such licenses, the period for which they shall be issued, and the fees therefor, and providing penalties for violations thereof. ....	371, 437, 483.
370	An Act to create the State Hail Insurance department of the State of Montana, making the State Auditor an ex-officio Commissioner of Insurance also Commissioner of Hail insurance; prescribing the manner in which such hail insurance shall be regulated, providing for the levy and collection of taxes on certain agricultural lands for the purpose of aiding in the payment of salaries and expenses of the hail insurance department, and for the payment of losses for crops injured or destroyed by hail and for expenses in investigating losses; authorizing such hail insurance commissioner to appoint deputies, clerks and assistants and appraisers, and making appro-	



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	priation for carrying out the provisions of this Act.....	372, 530.
371	An Act to provide for the pasteurization of skimmed milk, or separator slop before being used for livestock feeding purposes, and providing penalties for the violation thereof. ....	372, 438.
372	An Act to amend Article III, IV and V of Chapter III, Part IV, Title III, Sections 7999 to 8014, of the Revised Codes of the State of Montana A. D. 1907, relating to depositions and the manner of taking the same.....	372, 410.
373	An Act appropriating the sum of one thousand three hundred and seventy (\$1,370.00) dollars or so much thereof as may be necessary to pay the claim of Sylvan Murray for sheep which was killed or died from defective dipping, dipped by the authority of the State of Montana.	372, 413.
374	An Act to establish a State Vocational School for Girls, prescribing its objects and purposes, maintenance and management, prescribing commitments thereto, appeals, commutations, paroles and discharges, laws for fugitives, aiding escapes and penalties therefor; providing for materials, supplies and appropriations for all of said purposes; also for empowering the State Board of Land Commissioners, to sell or lease either land or buildings, or both, for the same.....	372, 410, 411, 451, 479, 489, 500, 501.
375	An Act to repeal Chapter 37, of the Session Laws of the Fourteenth Legislative Assembly, entitled, "An Act providing the fees to be paid by foreign corporations for filing a certified copy of its charter, or articles of incorporation, in the office of the Secretary of the State of Montana." .....	372, 445, 492, 502, 503, 506.
376	An Act to amend Section 43 of the Revised Codes of 1907, relating to the certificate of an agent of a transportation company authorizing such agent to sell tickets, and the license issued by the Secretary of State to such agent.	372, 409.
377	An Act to amend Section 4 of Chapter 80, of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, relating to the fee of the Secretary of State for issuing a license to sell coal. ....	372, 409.
378	An Act to amend Section 9745 of the Revised Codes of 1907, relating to the compensation of sheriffs for delivering prisoners at the State prison. ....	372, 408.
379	An Act to amend Section 4349 of the Revised Codes of the State of Montana, relating to passenger fares for traveling upon railway trains. ....	372, 396, 473, 484, 534.
380	An Act to make sheriffs, deputy sheriffs and constables ex-officio deputy game and fish wardens and to define their duties; and repealing Sections 1953, 1954, 1955, 1957, 1958, 1962, 1969 and 1975 of the Revised Codes	

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383	An Act to amend Chapter XVI of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, by adding thereto Section 1608, providing fire escapes for all school buildings of more than one story in height. ....	376, 411, 470, 477, 485, 486.
384	An Act to amend Subsection 19, of Section 3259 of the Revised Codes of the State of Montana, 1907, relating to the powers of city and town councils. ....	376, 426.

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387	An Act to repeal Sections 1 and 2 of Chapter 77 of the Session Laws, of the Thirteenth Legislative Assembly and to transfer the duties now devolving upon the office of the State Dairy Commissioner to the State Board of Health, and to the State College of Agriculture and Mechanical Arts, and making an appropriation for the additional educational dairy work transferred to the State college. ....	376, 493.
388	An Act to amend Section 4215 of the Revised Codes of 1907, relating to the certificate of incorporation of co-operative associations and the fee for the Secretary of State, for issuing such certificate. ....	376, 446, 492, 530, 535, 538, 545, 547.
389	An Act to amend Section 3850 of the Revised Codes of 1907, as amended by Chapter 140 of the Session Laws of the Eleventh Legislative Assembly, relating to the filing of annual statements by corporations. ....	376, 446, 492, 530, 535, 538, 546, 547.
390	An Act to amend Section 165 of the Revised Codes of 1907, relating to the fees of the Secretary of State. ....	377, 445, 483, 530, 535, 538, 547,
391	An Act to regulate and limit the fees of sheriffs in actions for the foreclosure of mortgages. ....	377, 445.
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26	An Act defining the duties of Boards of County Commissioners relating to the purchasing of supplies for their respective Counties.	71, 139, 170, 201, 226, 230, 231, 318.
27	An Act providing for the manner, time and place of issuing bills of lading; and the manner, time and place of delivery of bills of lading by railway companies, at stations where station agents are not provided; and providing a penalty for violation thereof.	71, 138, 170, 201, 226, 230, 231, 250, 274, 297, 343, 361, 385, 621.
28	An Act to provide for the organization of special road districts in the several Counties of the State, to provide for the election and appointment of directors, and other officers for special road districts; prescribing their duties and regulating the government thereof, and to provide for the levy of taxes in Special Road Districts and the disbursements of the special road district	

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	funds. ....	79, 359, 482, 509, 569, 582, 586, 605, 612, 619, 626, 636, 637, 638.
29	An Act relating to liens for labor and material furnished to owners of leaseholds for oil and gas purposes, and for material and labor for the construction of oil and gas pipe lines. ....	79, 170, 201, 227, 230, 231, 332, 373, 385, 458, 466, 470, 482.
30	An Act to amend Section 9029 of the Revised Codes of Montana 1907, relating to the time within which an indictment for crime may be found or an information or complaint filed; and providing for excepting time during which the defendant is outside the State. ....	79, 94, 139, 148, 151, 156, 172, 173, 182, 217, 218, 223.
31	An Act in relation to the release of record of oil, gas, and other mineral leases, providing civil remedies in connection therewith. ....	79, 151, 170, 199, 200, 204, 249, 274, 298, 343, 361, 385.
32	An Act regulating the casing of oil and gas wells and the mode of plugging the same when abandoned. ....	79, 138, 170, 283, 336, 338, 339, 355, 375, 388, 458, 466, 470, 482.
33	An Act to require railroad or railway companies to cooper box cars placed for loading grain or other commodities subject to loss by leakage, and providing a penalty for non compliance with the provisions of this Act. ....	80, 138, 170, 199, 200, 204, 366, 390, 403, 469, 499, 513, 514, 522.
34	An Act to establish a State Game preserve in the Highwood National forest reserve for the protection of Game Animals and Birds; and providing a penalty for killing, hunting, or pursuing any such animals or birds in such preserve. ....	80.
35	An Act to repeal Chapter 95 of the Laws of the Fourteenth Legislative Assembly entitled, "An Act creating certain funds in the State Treasury to provide for retirement of Public School Teachers; providing for the creation of these funds by contributions from teachers, investment of funds, gifts to funds, and appropriations; providing for the custody and management of these funds; providing for the collection, condition of investment, and condition of distribution of the funds, providing for the creation of boards to have charge of the funds, and prescribing the duties and powers of such boards; providing for the place of meeting of such board; providing for help and expenditures of such board in meeting and carrying out the provisions of this Act; providing conditions under which teachers may receive distribution of these funds, including the amount of	



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	time and term of payment." .....	80, 229, 283, 336, 338, 339.
36	An Act to amend Chapter 2 Title 2 part 2 of the Code of Civil Procedure of Montana, relating to adverse possession of real estate. ....	80, 93, 109, 139, 148, 151, 156, 172, 173, 182, 219, 223, 229, 232.
37	An Act to amend Chapter 73 of the Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the registration, identification and regulation of motor vehicles, by amending Subdivision 1, of Section 5, thereof to provide for regulation of vehicles. ....	87, 107.
38	An Act to authorize the investment of the permanent funds of the State in Federal Farm Loan Bonds, and to amend the first Section of the initiated law passed by the people at the General Election held November, 1914, adding another Section thereto authorizing the State Board of Land Commissioners to make such investment. ....	87, 108, 120, 148, 151, 175, 193, 194, 205, 223, 229, 232.
39	An Act to make lawful certain agreements between employees and laborers, and to limit the issuance of injunctions in certain cases. ....	87, 126, 139, 148, 170, 283.
40	An Act for the submission to the qualified electors of the State of Montana, of an amendment to Section 1 and Section 2, of Article 17 of the Constitution of the State of Montana, relating to the classification and sale of public lands. ....	87, 99, 120.
41	An Act to amend Section 9006 of the 1907 Revised Codes of Montana, having to do with the removal of public officers by summary proceedings. ....	87, 168, 169, 201, 227, 230, 231, 250, 274, 297, 343, 361, 385.
42	An Act establishing and defining definitely the boundary lines between Sanders and Flathead Counties, Montana. ....	93, 150, 170, 199, 200, 204, 278.
43	An Act to punish assaults upon and interference with conductors, engineers, brakemen and other persons in charge of the operation of railroad trains, or cars, or locomotives. ....	93.
44	An Act to establish the Eastern Montana State Normal School; defining the object of its establishment, providing for the control, supervision, and management thereof, changing the name of the State Normal School located at Dillon, Montana, and making an appropriation for the construction of the necessary buildings and the support and maintenance thereof. ....	93, 358.

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45	An Act to amend Section 50 of Chapter 89 of the Laws of 1915, entitled, "An Act regulating the business of Banking, providing for the creation and regulation of Banking Corporations, creating the Department of Banking and prescribing the duties and fixing the salaries of its officers and employees, and repealing Title II Part IV of Division I of the Civil Codes of Montana, entitled 'Banking and Banking Corporations,' being the provisions of Sections 2909 to 4015, both numbers inclusive, Revised Codes of Montana 1907, and all acts amendatory thereof," relative to the designation of Reserve Banks.	93, 230, 283, 336, 338, 339, 422, 434, 455, 483, 485, 517, 562, 578, 584.
46	An Act relating to the sale and assignment of mortgages on farm lands, together with the evidences of indebtedness thereby, in which the moneys belonging to the permanent common school and other permanent State Educational, Charitable and Penal institutions shall be invested by the State Board of Land Commissioners.....	93, 150.
47	An Act to provide an improved system of recording land titles and fixing penalties for violations of this Act.....	93, 169, 358.
48	An Act to amend Sections 24, 25, 26, 27, 28, 30, 31, 33, 34, 39, 40, 42, 45 and to re-enact Sections 23, 29, 32, 35, 36, 37, 38, 41, 43, 44 and to repeal Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 46 of Chapter 93 of the Laws, Resolutions and Memorials of the State of Montana passed by the Fourteenth Session of the Legislative Assembly, and to add a new Section providing for the continuation of all bonds, licenses, and receipts given or issued pursuant to the provisions of said Chapter.....	100, 158, 270, 320, 322, 324, 353, 374, 387, 458, 470, 567.
49	An Act prescribing the minimum movement for twenty-four hour period of a loaded freight car, and providing for a penalty for violation thereof. ....	107, 466.
50	An Act to cede jurisdiction to the United States over that part of the Yellowstone National Park in the State of Montana, and for other purposes. ....	107, 158, 201, 227, 230, 231, 253, 273, 297, 621, 623, 630, 636, 637, 638.
51	An Act relating to and regulating the manufacturing, keeping, storage, transportation, and sale of explosives, and providing penalties for any violation of the provisions thereof. ....	107, 138, 283, 336, 338, 339, 381, 416, 420, 469, 553, 563, 568, 576, 593, 598.
52	An Act to provide for the issue and sale of bonds by the State Board of Examiners of the State of Montana, for refunding Capitol building bonds of the State of Mon-	

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	tana. ....	108, 138, 167, 168, 170, 205, 254, 255, 259, 271.
53	An Act authorizing the sale of bonds and other securities belonging to the State of Montana, or held in trust by the State, and to provide for the refunding of any bonds issued by the State or any subdivision thereof; to provide for the investment of the permanent school fund and other trust funds and authorizing the State Board of Land Commissioners to adopt rules and regulations pertaining to loans made upon farm mortgages. ....	108, 323, 314.
54	An Act providing for the submission to the qualified electors of the State of Montana at the general election to be held in the State in November 1918, the question whether there shall be a convention to revise, alter and amend the Constitution of the State of Montana. ....	109, 139, 170, 200.
55	An Act to amend Section 26 and 29 of Chapter 147 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, relating to the classification and sale of public lands. ....	121, 150, 170.
56	An Act to regulate the running at large of bulls on public ranges or National forests in the State of Montana. ....	121, 294, 358, 379, 384, 423, 433, 455, 499, 513, 514, 522.
57	An Act to create the office of State Geologist, naming the State Engineer as State Geologist, ex-officio, fixing his powers and duties and providing penalties for violation of this Act. ....	121, 283, 323.
58	An Act to create the County of Wheatland, designating its boundaries, and provide for its organization and government, and to change the boundaries of Meagher and Sweet Grass Counties to conform thereto. ....	121, 230, 258, 269, 271, 334, 347, 361, 384, 386, 398, 400.
59	An Act to encourage the construction of public warehouses and elevators for the storage and handling of grain and other food products; to provide for the issuance of bonds for said purpose under State supervision; to create a State Warehouse Commission and defining the powers and duties of said commission; to create a State Grain Grading Commission and defining its powers and duties, and appropriating money to carry out the provisions of this Act. ....	121, 158, 201, 270, 271, 322.
60	An Act to amend Section 1 of Chapter 14 of the Laws of the Fourteenth Legislative Assembly, entitled, "An Act providing for indeterminate sentences of persons convicted of crime, and for parole of such persons and prescribing the duties of officials in connection therewith. ....	121, 150, 170, 199, 200, 204, 213, 233, 239, 277, 295, 340.

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61	An Act requiring certain Railroad Corporations operating in the State of Montana, to have and maintain repair shops within the State, and to have all defective or broken cars, coaches, locomotives, or other equipment owned or rebuilt in the State of Montana, and providing penalties for the violation of this Act.....	121, 439, 481.
62	An Act to provide for the election of delegates and alternate delegates and committeemen of political parties by primary vote, and to provide for nomination of candidates for public office, and to repeal initiated Bill entitled, "A Bill to propose by initiative petition a law to provide for party nominations by direct vote, initiated and passed by the people of Montana at the General election of 1912"; also to repeal initiated Bill entitled, "A Bill to propose by initiative petition a law to provide for the expression by the people of the State of Montana, of their preference for party candidates for the President and Vice President of the United States; the election of delegates to presidential conventions and nomination of presidential electors by direct vote by initiative; passed by the people of Montana at the General Election of 1912.".....	121, 293, 382, 397, 401, 493, 500, 537, 569, 574, 582.
63	An Act to amend Section 1600 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, providing for the method of selecting, purchasing exchanging, or selling of school house sites in school districts of the Third class and relating to school house sites in general. ....	127, 201, 230, 282, 283, 285, 316, 343, 375, 388, 443, 458, 466, 482.
64	An Act to amend Subdivision 8 of Section 508 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the purchasing of school sites and the building and removal of school houses. ....	127, 230, 282, 283, 285, 351, 374, 387, 443, 470, 499, 513, 514, 522.
65	An Act to empower cities of the First, Second and Third class to provide band concerts for the entertainment of their people during the months of June, July, August and September of each year. ....	128, 150, 170, 215, 218, 219, 252, 274, 297, 343, 361, 385, 397.
66	An Act to amend Section 94 of Chapter 147 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, providing for a land office expense fund and the disposition of the same. ....	128, 282, 339, 400, 401, 444, 536, 547, 550, 577, 622, 625, 635.
67	An Act to provide what district judges shall preside in	



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	counties having no resident district judges. ....	128, 158, 201, 227, 230, 231, 250.
68	An Act to amend Sections 1, 2, 3, 4 and 12, Chapter 139 Session Laws of the Fourteenth Legislative Assembly relating to the creation of new counties. ....	128, 400.
69	An Act to amend Section 3146 of the Revised Codes of Montana, 1907, relating to fees for naturalization and disposition of same. ....	128, 179, 201.
70	An Act to define the status of children born out of wed- lock; making the birth of any such child a legal bond of wedlock between unmarried parents of such child; fixing the legal status and obligations between father and child; providing the method by which paternity may be established and fixing penalties for violations of this Act. ....	140, 150, 170.
71	An Act to regulate the storage of goods in warehouses, and fixing penalties for the violation of this Act.....	140, 270, 358, 379, 384, 570, 602, 603, 609, 636, 637, 638.
72	An Act requiring the Scandinavian languages to be taught at the State University at Missoula. ....	140, 180.
73	An Act to provide for the appointment of a custodian for the State Capitol; fixing his term of office; defining his duties, powers and authority; and to repeal Section 157 Article V, Chapter 3 of the Political Code of the State of Montana. ....	140, 179, 217, 282, 283, 285, 349, 374, 386, 443, 456, 467, 470, 482.
74	An Act making it unlawful to fish through the ice of certain streams in the State which have been stocked; providing for penalty for violations thereof, and repeal- ing all Acts and parts of Acts in conflict therewith.....	140, 322, 382, 397, 401, 436.
75	An Act relating to intoxicating liquors; prohibiting the soliciting and taking of orders therefor, the advertise- ment therefor, declaring certain places to be nuisances and providing for their abatement; regulating the trans- portation thereof; and providing for the search and seizure and destruction thereof, prescribing the powers and duties of certain officers; providing for the removal of certain officers for failure, neglect or refusal to per- form their duties; prescribing the form of procedure and the rules of evidence in actions and proceedings under the laws relating to intoxicating liquors and fixing the penalties for violations hereof. ....	149, 190, 230, 359, 380, 384, 436, 569, 589, 590, 600, 619, 636, 637, 638.
76	An Act to create the County of (Sykes) Carter, design- ating its boundaries, provide for its organization and government and to change the boundaries of Fallon	

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77	An Act for the submission to the qualified electors of the State of Montana, of an amendment to Section 6, Article 13 of the Constitution of the State of Montana, relating to the indebtedness of cities and towns. ....	149.
78	An Act to fix, define and determine the boundaries of Prairie County, Montana. ....	149, 217, 270, 320, 322, 334, 438, 569, 582, 586, 619, 636, 637, 638.
79	An Act to amend Section 3, of Chapter 52, of the Laws of 1913, relating to the establishment of the Public Service Commission of Montana, and prescribing its powers and duties, with reference to the jurisdiction of said Commission over certain public utilities. ....	149, 179, 217.
80	An Act to provide for the disposal and disposition of all moneys in the Public School Teachers retirement salary fund and the Public School Teachers permanent fund. ....	149, 382, 466, 467, 469.
81	An Act to amend Section 4416 of the Revised Codes of the State of Montana, relating to annual statements. ....	149, 169, 201, 230, 400, 443, 452, 516.
82	An Act to amend Section 3, Article 209, Chapter XI of the Revised Codes of 1907, relating to reports of State Examiners. ....	149, 169.
83	An Act to provide for the preservation, collection and publications of historical facts of the early settlement of the State of Montana. ....	159, 229, 283, 295, 296, 341, 373, 388, 443, 458, 466, 470, 524.
84	An Act to provide a maximum rate of interest on loans of money or evidences of debt; providing a penalty for violation thereof, and repealing Chapter 36 of the Laws of the Thirteenth Legislative Assembly of 1913, and repealing Chapter 5212 of the Revised Codes of Montana of 1907. ....	159, 229.
85	An Act relating to powers and duties of Justices of the Peace, and fixing their compensation. ....	160, 179, 201, 257, 282, 283, 285, 350, 375, 537, 555, 558, 560, 593, 618.
86	An Act to amend Section 9383-9391-9393 and 9394 of the Revised Codes of the State of Montana, 1907, relating to the place where and the persons who shall be present at the execution of a judgment imposing a death penalty, and designating the person who shall execute the same, and providing the duties and compensation of certain officers in connection therewith. ....	160, 201.

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87	An Act to repeal Section 8836 of the Revised Codes of Montana of 1907, and designating the duties of owners of stallions. ....	160, 294, 358, 380, 384, 424, 435, 453, 553, 563, 568, 576, 598.
88	An Act to repeal Section 9 of Chapter 73 of the Laws of the Thirteenth Legislative Assembly, concerning the regulation of motor vehicles by local authorities.....	160, 179, 217, 282, 283, 285, 350, 374, 386, 458, 466, 470, 514.
89	An Act to amend Section 6 (gg) of Chapter 96 of the Fourteenth Session Laws, defining public corporations.	168, 439.
90	An Act to dissolve corporations that fail or neglect to make statements required by law, and to dissolve those that do not pay certain taxes; to make it the duty of the County Clerk to report such corporations to the Secretary of State to provide for clerks of courts to make reports of those that are dissolved by courts; and to fix duty of Secretary of State and Governor relating to dissolution and reinstatement of said corporation; and fixing penalties for those who attempt to do business after said corporations have been dissolved. ....	168, 400, 494.
91	An Act providing for the safe investment of the State permanent Common School funds, and all other permanent State Educational, Charitable and Penal Institution funds in the securities herein designated; for the prompt collection of interest thereon; providing a method of procedure in making said investments to guard and protect such funds; and prescribing the duties and obligations of the various officers of the State in making said investments; and repealing all laws and parts of laws in conflict herewith. ....	168, 283, 400, 443, 452, 480, 548, 551, 556, 614, 626.
92	An Act to amend Section 3032 of the Montana Revised Codes of 1907, enumerating the instruments to be recorded by the County Clerk and Recorder, and the manner of recording the same, and providing for the validation of certain instruments heretofore recorded.....	168, 200, 230, 282, 283, 285, 365, 390, 402, 469, 517, 526, 527, 562, 578, 584, 619.
93	An Act to amend Section 300, Subdivision 9 of Section 302; Subdivisions 1 and 10 of Section 502 and Section 509 Subdivision 4 of Section 512; Subdivision 6 of Chapter 803; Section 904 Articles a, b and c, of Subdivision 1, Section 905; Section 1000, 1003 and 1500 and to repeal Section 801 and 1004 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly; and to repeal Chapter 19 of the Session Laws of the Thirteenth Legislative Assembly, relating to District	

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	School Elections. ....	168, 229, 293, 358, 467.
94	An Act to amend Sections 1a, 1b, 1c, 2d, 3e, 3f, 3g, 3h, 3i, 4a, 6i, 6j, 6k, 6l, 6m, 6n, 6g, 6cc, 7a, 7b, 8d, 9a, 9b, 10a, 10b, 13a, 13b, 14f, 16, 16a, 16b, 16c, 16d, 16e, 16f, 16g, 16h, 16i, 16j, 16k, 17b, 17g, 17h, 17i, 17j, 17k, 18c, 25b, 30a, 30b, 30g, 40a, 40c, 40m, 40r, 40t and 51a, of Chapter 96 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, an Act entitled, "An Act providing for the protection and safety of workmen in all places of employment and for the inspection and regulation of places of employment in all inherently hazardous works and occupations; providing a schedule of compensation for injury to, or death of workmen, and method of paying the same, and prescribing the liability of employers who do not elect to pay such compensation; establishing an industrial accident board, defining its powers and duties, and providing for a review of its awards, and to add two additional sections thereto, to be designated respectively, 17l, and 25c, and to repeal Sections 4b, 4c, 4a, 4e, 5, 6a, 6b, 6c, 6d, 6e, 6f, 8a, 8b, 8c, 14a, 14b, 14c, 14d, 14e, 35a, 35b, 35c, 35d, 35e, 35f, 35g, 35h, 35i, 35j, 35k, and 35l of said Act. ....	169, 439, 481.
95	An Act to amend Section 8492 of the Revised Codes of Montana 1907, relative to the sale of carcasses of animals affected with an infectious or contagious disease. ....	181, 201, 230, 282, 283, 285, 318, 343, 346, 402, 411, 469.
96	An Act for the submission to the qualified electors of the State of Montana of an amendment of Section 9 of Article 12, of the Constitution of the State of Montana as amended by the people of the State of Montana at the general election held in November, 1910, relating to revenue and taxation. ....	181, 439.
97	An Act to restrain persons convicted by jury in a Court of Record of unlawfully practicing medicine, surgery, osteopathy, dentistry or optometry, from further practice until such persons shall have been lawfully admitted to practice. ....	181, 294.
98	An Act permitting additional assessments by Water Users Associations in cases where the benefits of previous assessments have not accrued to the land assessed, and providing for discharge of such previous assessments, and that all such additional assessments shall be equitable. ....	181, 441, 442, 483, 494, 510, 602, 604, 610, 635, 636.
99	An Act to permit Co-operative Associations organized under the laws of the State of Montana, to consolidate their interests and capital stock; and designating the	



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	procedure, to be followed to effect such consolidation.	181, 228, 283, 336, 338, 339, 375, 537, 584, 591, 599, 635, 636.
100	An Act to establish and create a general fish and game law for the State of Montana, to codify and arrange all of said laws now in force relating to fish and game which are not repealed or amended hereby and re-enacting such laws as are not in conflict herewith, to amend an Act approved March 9, 1909, relating to hunting and fishing licenses; and repealing Chapter 81 of the Laws of 1909, relating to the killing of certain animals, to amend an Act approved Feb. 25, 1915, relating to licenses and the time of the expiration thereof; and also to amend an Act approved March 13, 1913, relating to game fish, known as Chapter 76 of the Laws of 1913; to amend an Act approved March 15, 1913, authorizing the sale of game and game birds, known as Chapter 100, of the laws of 1913; and also to amend an Act approved March 3, 1915, concerning fish nets, known as Chapter 60 of the laws of 1915; to amend an Act approved March 5, 1915, known as Chapter 73 of the laws of 1915, relating to elk, Rocky Mountain sheep and goats; to amend an Act approved March 8, 1915, and known as Chapter 107 of the Laws of 1915, relating to fish and game; to amend a law approved March 8, 1915, known as Chapter 98 of the Laws of 1915, relating to a closed season for all game; to amend a law approved March 8, 1915, known as Chapter 109 of the laws of 1915, relating to the use of explosives or poisons for the purpose of catching fish; to amend an Act approved March 9, 1915, known as Chapter 138 of the Laws of 1915, relating to the payment of costs in the prosecution of criminal cases under the game and fish laws; and also for the purpose of amending and re-enacting so much of the game and fish laws found in the Revised Codes of Montana, 1907, as may be found in Section 8786 and 8789 inclusive; to enact a law relating to the trapping of beaver; relating to the appointment of deputy game wardens under civil service rules, relating to the installation of fish wheels in ditches at the expense of the State, relating to the killing and trapping of bear, and to provide a closed season therefor, to establish a closed season therefor, to establish a closed season on grouse, prairie chickens, sage hens, fool hens, pheasants, or partridge.	181, 283, 453, 539, 551.
101	An Act regulating the forwarding of negotiable instruments for collection.	191, 230, 283, 336, 338, 340, 537, 555, 558, 560, 584, 618.
102	An Act authorizing the State Board of Prison Commissioners to adopt rules and regulations allowing additional good time in addition to that provided by statute for good conduct to convicts employed on public roads or other public works, and providing a penalty for the vio-	

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	lation of such rules. ....	191, 257, 283, 336, 338, 340, 410, 417, 421, 499, 513, 514, 522, 596.
103	An Act to provide for the appointment by the Supreme Court of three commissioners to be known as Commissioners for the Revision of Civil Procedure, and to provide clerical assistance therefor, and directing said commissioners to revise, abridge or simplify the code of civil procedure, in order to relieve litigants from costly and vexatious procedural delays and to make legal, and equitable remedies more readily available. ....	191, 322, 382, 443, 452.
104	An Act to prohibit any person from knowingly buying, selling, receiving, disposing of or canceling, or having in his possession, any automobile, motor car, or motor vehicle from which the manufacturer's serial number, or any other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed, for the purpose of concealment or misrepresenting the identity of such automobile, motor car, or motor vehicle, and providing punishment for the violation of the provisions hereof. ....	191, 202, 230, 282, 283, 285, 350, 374, 386, 458, 466, 470, 482.
105	An Act amending Subdivision One of Section Fourteen of Chapter Eighty-nine of the Session Laws of 1913, and providing that assessments to defray cost of constructions of sewers may be based upon the assessed valuation of the lots and parcels of land included within the improvement district formed for the construction of such improvements. ....	191, 400, 467, 482, 494, 601.
106	An Act to establish a Grain Inspection Laboratory at the Montana Grain Laboratory; and to define the aim and scope of the work to be proposed; and providing for the administration, and to make appropriation for the maintenance thereof. ....	191, 283, 323, 357, 361, 412, 417, 422, 469, 513, 514, 524.
107	An Act to amend Chapter 68 of the Session Laws of the Fourteenth Legislative Assembly, fixing the hours during which saloons and places where intoxicating liquors are sold may remain open and prescribing penalties for violations of said Act. ....	191, 295, 358, 442.
108	An Act to amend and re-enact Sections 1, 4, 11, 30, 35 and 48 of Chapter 146 of the Montana Session Laws 1909; and Section 2 and 11 of Chapter 145 of the Session Laws, 1915; relating to the creation, organization, government, and change in area of irrigated districts. ....	191, 283, 358, 397, 401, 480, 531, 548, 550, 558, 569, 572, 597, 636.
109	An Act to amend Subdivision 4 of Section 507 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the pow-	

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	ers of school trustees to conduct night schools.....	192, 229.
110	An Act to appropriate money for the construction of a building to be used as a dormitory, library and assembly hall at the State Soldiers' Home. ....	200, 230, 283, 336, 338, 340, 451, 536, 547, 548, 584.
111	An Act to provide Junior College courses and a Normal Training course in High School and to prescribe the method of meeting the expense of such courses.....	200, 229.
112	An Act to amend Sections one and three of Chapter 86 of the Laws of the Fourteenth Legislative Assembly, being an Act to provide for financial aid in the care of dependent children in their own homes under the direct control of the mothers of such children, whose fathers are dead or inmates of some Montana State Institution of charity, or correction or who are physically or mentally unable to provide for said children, or whose mothers are solely dependent upon their labor for support. ....	200, 230, 283, 336, 338, 340, 413, 417, 419, 434, 439.
113	An Act to repeal Chapter 13 of the Laws of the Thirteenth Legislative Assembly of the State of Montana, entitled, "An Act to create the office of State Traveling Parole Commission, define the duties of said commissioner and fix his compensation therefor. ....	200, 257, 283, 336, 338, 340, 445.
114	An Act to amend Sections 6449 and 6450, of the Revised Codes of the State of Montana of 1907, relating to the time of commencing actions other than for the recovery of real estate. ....	200, 219, 230, 282, 283, 285, 349, 374, 385, 458, 466, 470, 482,
115	An Act relating to the mileage, fees and expenses of sheriffs, and repealing Sections 3137 and 3138, Revised Codes of Montana, 1907. ....	216, 257.
116	An Act to permit an application for a State Farm Loan being made and considered and a receipt being furnished pending the final breaking, clearing, or improvement of the land upon which the loan is sought.....	216, 282, 339, 397, 400, 401, 448, 584, 602, 606, 635, 636.
117	An Act to amend Sections Two and Twelve of Chapter Eighty-six of the Laws, Resolutions and Memorials of the State of Montana, passed by the Thirteenth Legislative Assembly, and providing for the execution of all mortgages of personal property in duplicate, and prescribing the duties of officers taking the acknowledgments thereto, and the giving of notice of sale when the property is sold by a sheriff under power of sale given in the mortgage. ....	216, 257.
118	An Act to provide a method of voting at general, special	

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	and primary elections, including general and special and primary municipal elections, by electors absent or expecting to be absent, on the day of any such election from the county in which they are electors and making regulations regarding such voting. ....	216, 270, 339, 397, 400, 401, 584, 603, 606, 636, 637, 638.
119	An Act providing for the licensing of any person, association, or corporation engaged in the business of peddling beef, and providing for the inspection of the hide of any cattle slaughtered for beef, before the beef is peddled or offered for sale, and providing a penalty for violation thereof. ....	216.
120	An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 6 of Article XVI of the Constitution of the State of Montana relating to municipal corporations and officers.....	217, 596, 319.
121	An Act to provide for the construction of a State Fish Hatchery in Yellowstone County, and appropriating money for the construction and furnishing of such hatchery. ....	217, 322, 382.
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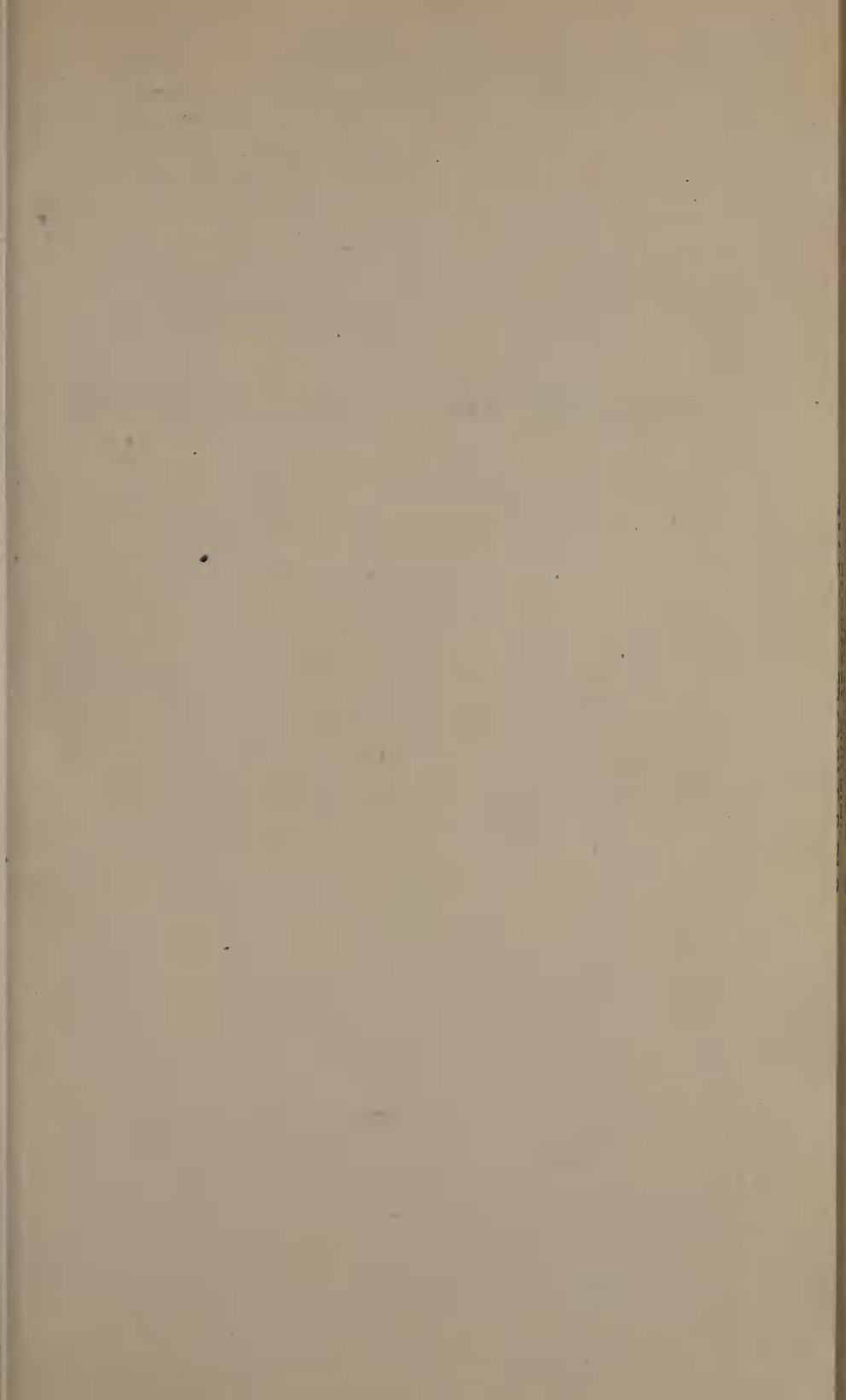
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4	Memorializing the Congress of the United States to investigate the condition of wild game in the vicinity of the Yellowstone National Park, and to feed or care for the Elk which annually wander out of said National Park.	467, 483, 495, 510, 536, 551, 557, 614, 626.
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1	Memorializing Congress for an appropriation of One Million Dollars for the Flathead Irrigation project for the ensuing year. ....	39, 48, 97, 129, 130, 133, 141, 160, 169, 190, 202, 222, 234, 251, 259, 269.
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3	A Resolution memorializing to stock the National Bison range, located in Missoula County, with reindeer. ....	48.
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3	Memorializing Congress of the United States for a biological survey of Flathead, Whitefish and Swan lakes.....	69, 70, 78, 98, 112, 136, 153, 157, 163, 203, 222, 234, 251, 259, 269.
4	Memorializing Congress to submit an amendment to the Constitution of the United States prohibiting polygamy.	91, 97, 122, 129, 130, 134, 141, 160.
5	Memorializing Congress to pass an amendment to the Federal Constitution and submit the same to the several states for ratification, prohibiting the sale and manufacture of intoxicating liquors for use as a beverage.....	135, 144, 181, 193, 194, 211, 242, 272, 293, 324, 330, 357, 361.
6	Memorial to the Congress of the United States to amend the Ferris Bill so as to prevent the tying up of the public domain to the prejudice of actual homesteaders.	215, 251, 343, 348.
7	Relative to policing Yellowstone National Park.....	254, 278, 375, 392, 395, 406, 468, 512, 567, 581, 583, 596, 598.
8	Memorializing Congress for the passage of necessary legislation to authorize the Northern Pacific Railway Company to relinquish certain lands in the State of Montana in favor of bona fide settlers thereon and to select other lands in the State of Montana in lieu thereof.	320, 366, 392, 403, 435, 458, 462, 468, 497, 566, 619.
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HOUSE JOURNAL  
OF THE  
FIFTEENTH LEGISLATIVE ASSEMBLY  
OF THE  
STATE OF MONTANA

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FIRST DAY

Helena, Montana, Monday, January 1, 1917.

Pursuant to law, at the hour of 12:00 noon, the House of Representatives of the Fifteenth Legislative Assembly of the State of Montana was called to order by the Honorable C. T. Stewart, Secretary of the State of Montana.

At the request of Secretary of State, Rev. C. H. Frady offered an invocation.

The Secretary of State appointed Chas. Treacy of Silver Bow County, temporary Chief Clerk; O. L. Anderson of Flathead County, temporary Assistant Chief Clerk; C. Z. Pond of Lewis and Clark County, temporary Journal Clerk.

The roll was called and all members were found to be present with the exception of Eliel of Beaverhead County, all of whom thereupon presented their certificates of election.

Secretary of State Stewart introduced Associate Justice Sidney Sanner, who administered the following oath of office to the members present:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Constitution of the State of Montana, and that I will discharge the duties of my office with fidelity; and that I have not paid or contributed or promised to pay or contribute, either directly or indirectly, any money or other valuable things to procure my nomination or election, except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this State; or procured it to be done by others in my behalf; that I will not knowingly receive, directly or indirectly, any money or other valuable things for the performance or non-performance of any act or duty pertaining to my office other than the compensation allowed by law—so help me, God."

The foregoing oath of office was duly signed as follows:

Andersen, Chas.; Anderson, Oscar W.; Andrew, John T.; Arneson, Anthony H.; Ashby, Shirley C. Jr.; Baldwin, Clement J.; Ball, Leonard; Baxter, E. C.; Belden, O. W.; Bent, Wallace A.; Bernard, P. N.; Blake, Harold N.; Blodgett, F. E.; Booth, George T.; Brooks, Joseph; Buell, Henry M.; Buell, Hiram S.; Buchanan, Frank Sr.; Burnworth, Clifton H.; Carll, Frank; Clark, S. W.; Connolly, James J.; Cotter, Charles P.; Crismas, William J.; Crowley, Tim; Davis, Clarence C.; Deibel, Randolph; Demel, C. W.; Dodds, Percy F.; Duffy, Joe H.; Eaton, Ernest T.; Farmer, Frank W.; Fishbaugh, L. M.; Flanagan, Jerry J.; Fuller, Newman H.; Gould, M. S.; Griffin, James; Grimes, Thomas W.; Gullidge, A. O.; Harbert, James; Harmon, W. E.; Hathaway, Maggie Smith; Hawks,

James A.; Henderson, W. C.; Henry, V. R.; Higgins, Ronald; Holt, Clifford F.; Huffaker, George W.; Hurd, Walter L.; Husser, Arthur A.; Ingalls, Mrs. Emma A.; Ironside, Fred A.; Jensen, Steuard R.; Johnson, Edw. C.; Johnston, W. B.; Jones, Dudley; Kehoe, Thos. M.; Kelsey, Frank T.; Kemmis, Walter D.; Lanstrum, George W.; Larse, George W.; Lemmon, C. A.; Lewis, V. E.; Lusk, Addison K.; McClory, John S.; McDonald, Charles S.; McMahon, W. J.; McMillan, R. O.; McQuarrie, Daniel L.; Mason, Dwight N.; Middleton, John R.; Morris, Richard E.; Morrow, J. A.; Murray, Frank C.; O'Brien, John; O'Connor, Jas. F.; Page, John R.; Phelps, E. T.; Prosser, Martin; Quaintance, Cary; Rainey, J. A.; Rasmussen, C. A.; Sand, A. U.; Scott, William J.; Searles, Chas. A.; Sektnan, M.; Shaw, John A.; Spain, William Whitfield; Stimpert, Adam; Ward, John M.; Weil, Charles A.; Wheat, Gilbert G.; White, B. C.; Working, Lincoln.

Nominations for Speaker being in order, Mason of Missoula placed in nomination J. F. O'Connor of Park County, and Lusk of Missoula placed in nomination Ronald Higgins of Missoula.

Nominations being closed, roll was called with the following result:

Those voting for O'Connor were as follows:

Andersen (Chas.), Andrew, Ashby, Ball, Bent, Blodgett, Carl, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Duffy, Farmer, Fishbaugh, Flanagan, Gould, Grimes, Hathaway, Hawks, Higgins, Hurd, Husser, Ironside, Jensen, Kehoe, Larse, Lemmon, McMahon, Mason, Morris, Morrow, Murray, O'Brien, Page, Prosser, Rainey, Sand, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White—49.

Those voting for Higgins were as follows:

Anderson (Oscar W.), Arneson, Baldwin, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Cotter, Dodds, Eaton, Fuller, Griffin, Gullidge, Harbert, Harmon, Henderson, Henry, Holt, Huffaker, Ingalls, Johnson, Johnston, Jones, Kelsey, Kemmis, Lanstrum, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Middleton, O'Connor, Phelps, Quaintance, Rasmussen, Scott, Working—46.

O'Connor receiving a majority of the votes cast, was declared Speaker of the House of Representatives of the Fifteenth Legislative Assembly.

Mr. Speaker called for nominations for officers and employees of the House.

McMahon of Silver Bow moved the election of officers and employees as follows:

Speaker Pro Tem—T. M. Kehoe.

Chief Clerk—C. H. Treacy.

Asst. Chief Clerk—O. L. Anderson.

Sergeant-at-Arms—Robert Hill.

Asst. Sergeants-at-Arms—John Wrath and Edward A. Hayes.

Journal Clerk—C. Z. Pond, Jr.

Asst. Journal Clerk—Ella M. Kelly.

Enrolling Clerk—Laura Winkler.

Asst. Enrolling Clerk—Catharine Calk.

Engrossing Clerk—Irene McKay.

Asst. Engrossing Clerk—Mary G. Meushaw.

Reading Clerk—W. J. Bryan Waite.

Printing Clerk—D. S. McCallum.

Bill Clerk—Jack Helfrich.

Door Keeper—Frank G. Stocker.

Asst. Door Keepers—Geo. Lowe, Robert B. Jennings.

Janitor—C. M. Crutchfield, Jr.

Asst. Janitors—John Cuckovich, Tom Lane, Graney Lovejoy.

Day Watchman—Dominick Spogen.

Night Watchman—William Lewis.

Chaplain—Rev. C. H. Frady.

Pages—Joe Wagner, John Harrington, John Connors, Murdie McRae, Ralph Bennett, Henry Mills, William Edington.

On motion of Baxter of Deer Lodge County the following were placed in nomination as officers and employees of the House:

Speaker Pro Tem—W. E. Harmon, Gallatin.

Chief Clerk—Nathan Godfrey, Lewis and Clark.



Asst. Chief Clerk—Orvil Anderson, Flathead.  
 Sergeant-at-Arms—Geo. Burrell, Teton.  
 Asst. Sergeant-at-Arms—J. N. Wrath, Yellowstone.  
 Chaplain—C. H. Frady, Yellowstone.  
 Engrossing Clerk—M. A. Carney, Beaverhead.  
 Asst. Engrossing Clerk—Ida Hickman, Dawson.  
 Enrolling Clerk—Fara Kennett, Lewis and Clark.  
 Asst. Enrolling Clerk—Esther Andrews, Dawson.  
 Journal Clerk—Mrs. Clara Lawyer, Missoula.  
 Asst. Journal Clerk—Mamie Anderson, Fergus.  
 Bill Clerk—Leon Shaw, Yellowstone.  
 Reading Clerk—W. N. Smith, Meagher.

Door Keepers—Joe Gunner, Missoula; Essie Burgess, Lewis and Clark; Norman Supernaut, Fergus.

Pages—Joseph Wagner, Cascade; Edward Winkie, Forest Skahen.

Watchmen—Jessie Henry, Meagher; S. H. Scott, Custer; E. Ash, Sweetgrass; F. Bahling, Custer.

Janitors—John Sumner, Lewis and Clark.

On motion of Mason of Missoula, the Chief Clerk was instructed to cast forty-nine votes for the list of officers and employees of the House named by the Democratic caucus, and forty-six votes for the list of officers and employees named by the Republican caucus, and that those named by the Democratic caucus be declared elected and sworn in by Mr. Speaker.

On motion of McMahon of Silver Bow, Mr. Speaker appointed a committee of three consisting of McMahon, Kehoe and Higgins to notify the Senate that the House was duly organized and ready for business.

Committee reported having performed its duty.

On motion of Blake of Deer Lodge, Mr. Speaker appointed a committee of three, consisting of Blake, Belden and Weil, to notify the Governor the House was duly organized and ready to receive any communications he desired to offer.

The committee reported having notified His Excellency, the Governor. His Excellency notified the committee that he would be pleased to address the Fifteenth Legislative Assembly in the Chamber of the House at 12:00 o'clock noon.

On motion of Mason of Missoula, the Rules of the House and House Joint Rules of the Fourteenth Legislative Assembly were accepted as the Rules and Joint Rules of the Fifteenth Legislative Assembly until the Committee on Rules and Joint Rules should report.

On motion, the Speaker was authorized to appoint a stenographer and page for his own personal services.

On motion of Blake of Deer Lodge, the Speaker was empowered to appoint a committee of three to act with a like committee of the Senate in the employment of assistants to the regular postmaster in the Capitol building.

On motion of McMahon of Silver Bow, the Sergeant-at-Arms was instructed to keep the center doors of the House Chamber closed during the session of the House.

On motion of Blake, the House adjourned until 11:45 A. M. Tuesday, January 2, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## SECOND DAY

Tuesday, January 2, 1917.

House met at 11:45 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by the Chaplain.

On roll call all members present except Eliel and Davis.

Mr. Speaker appointed the following committee, Belden, Carll and Murray, to notify the Senate that the House awaited its pleasure to listen to His Excel-

lency, the Governor's, message. The committee reported that Senate would meet in joint session with the House immediately.

At 12:05 P. M. the Honorable Senate appeared at the bar of the House and was duly introduced and received. The Joint Assembly was presided over by the Honorable W. W. McDowell, President of the Senate.

The Secretary of the Senate called the roll of the Senate, and the Chief Clerk of the House called the roll of the House, and announced that a quorum was present.

The Chair appointed Senator Edwards, Representatives Higgins and McMahon, as a committee to notify His Excellency, Governor S. V. Stewart, that the Joint Assembly was in session and awaiting his pleasure.

Governor Stewart appeared at the bar of the House, was escorted to the platform, introduced to the Assembly, whereupon he proceeded to deliver the following message to the Joint Assembly:

"Ladies and Gentlemen of the Fifteenth Legislative Assembly:

"The Governor shall at the beginning of each session, and from time to time, by message, give the Legislative Assembly information of the condition of the State, and shall recommend such measures as he shall deem expedient."

These are the words of the Constitution of Montana. They are plain and explicit and I cheerfully obey their mandate. The disposition to be made of the recommendations is wholly within your discretion. The Governor has imposed upon him the duty of suggesting and is given the power of final consideration within certain limits. The task of formulating the needed measure and of weighing the different constituent elements of each is wholly yours. You are the builders and the makers of legislation. The Governor suggests what to him seems a fit subject of legislation and you return to him a completed law which he must approve or reject in its entirety. While the Constitution arbitrarily separates the field of our respective endeavors, permit me to suggest to you that there is still much opportunity for co-operation, and that I stand ready to join you in everything contemplated for the betterment of Montana and her citizens.

In this regular session there will be much of routine and a very considerable amount of uninteresting matter for your ultimate action. Nevertheless there will be full opportunity for the consideration of many matters of absorbing interest and prime importance to the State and to the people. Within the period that has elapsed since the Fourteenth Assembly convened our State has made remarkable strides in the process of her development. Today Montana is bigger and better in her every element than ever before. Her resources have developed and increased in value; her institutions have grown in importance and effectiveness; her citizens have multiplied and the standard of citizenship has attained such a degree of excellence as to find favor in the esteem of all those who respect civic virtues and cherish high ideals of morality.

The recent years have brought many people to our State, and good crops, high prices and general business conditions have contributed to the individual prosperity of our populace. New burdens have come with increased population, burdens that more than outweigh the consequent increase in the income of the State. We should not forget that the taxable value of our property is greatly restricted when compared with the vast area over which we are compelled to administer government. Therefore our first and greatest care should be to provide adequately for the needs of the State government without imposing an undue burden upon the people in this time when the needs and necessities of the citizen are most acute.

It is not my purpose to burden you with a long message or to make many recommendations for your consideration. While I shall touch upon some matters that are in my opinion fit subjects of legislation, I want to impress upon you at the very outset of this session that the prime and paramount duty now before you has to do with matters of State finance.

The present activities of the State are numerous and they are today absorbing more money than the ordinary revenues are providing. Since the formation of State Government in Montana the State has been practically run on credit from year to year. This has been accomplished through the payment of the current expenses for a given year from the amount collected in taxes for that year. State warrants have not gone unpaid, by reason of the use of the permanent school

and institutional funds in the purchase of these warrants. The warrants have been carried in the school funds until taxpaying time in the fall and then the tax money, augmented by the other income of the State, has generally been sufficient to take up the warrants and start the State off even for another year. This custom has been pursued for many years. It has always been more or less disturbed by the constantly increasing demand for appropriations and the corresponding disposition on the part of the Legislative Assembly to make appropriations regardless of the estimated income for the forthcoming appropriation period.

### OVER-APPROPRIATIONS.

Four years ago when this administration took over the affairs of government and the Thirteenth Session began its work, there was in the State Treasury the sum of \$243,100.39. Warrants had to be taken over by the school fund soon after the adjournment of the session. That Assembly made appropriations that were at least \$300,000.00 in excess of the estimated income of the State for that period. By strict economy and care on the part of the State Board of Examiners, even in the face of unusual expenditures in the Butte trouble, the State treasury showed a balance of \$53,645.18 on January 1, 1915.

Then came the Legislative Session of that year, and all estimates were shattered. At the beginning of the session the State Auditor estimated that the probable necessary expenditures for the forthcoming two years would outrun the income by about \$66,000.00.

In his estimate the auditor approximated the expenses of the Fourteenth Legislative Assembly at \$140,000.00, whereas such expenses actually aggregated \$155,423.30. It is interesting to note in this connection the steady increase in the cost of the Legislative sessions. The session of 1909 cost \$73,729.22; that of 1911 cost \$105,224.90; that of 1913, \$130,972.40; and the 1915 session the above mentioned sum of \$155,423.30. A part of this increase is undoubtedly necessary and proper, but some of it must seem to be unnecessary and should be obviated. Your attention is respectfully directed to this matter.

The State Auditor did not include in his pre-session estimate the very considerable appropriations made for the Panama-Pacific Exposition exhibits, the maintenance of the compensation department, the new Farm Loan department, or the money paid for stock slaughtered by reason of foot-and-mouth disease. Neither did he take into consideration the fact that the Legislative Assembly provided larger sums for certain specified purposes than he had deemed necessary.

It is sufficient for me to advise you here that in my opinion the Legislative appropriations aggregated at the very least a half million dollars more than the estimated income. My estimate given in a statement conveyed to the Secretary of State with the general appropriation bills placed the possible deficit at \$569,238.96, while a subsequent estimate by the State Auditor placed the amount at about \$700,000. With that burden of excess appropriations the State Board of Examiners began to work along the line of retrenchment. Many savings have been made and as a result some of the departments and all of the State institutions have been deprived of much needed financial support. Today the deficit is only \$184,595.12. This is the amount of warrants in the school fund that could not be taken up with the tax and other money available.

### LIQUOR LICENSE REVENUES.

A consideration of this matter brings us face to face with another financial problem. The State's revenue from liquor licenses has fallen off very considerably in the last two years. The income from this source was about \$40,000.00 less for 1916 than for 1914. This was no doubt due to the prohibition legislation. It is fair to assume that the loss will be greater in 1917 and 1918, and we know that the income from that source will entirely cease at the end of 1918. It is a very considerable sum, being \$346,784.91 in 1916, and some provision should be made to compensate the general fund on account of the loss.

In this connection I do not want to be understood as deploring the situation; rather would I commend the people for the advanced step along the lines of civic betterment and moral refinement, even though it has affected the revenues of the State.

Taxes have not increased in volume as rapidly as could be expected. Most of our new settlers are homesteaders and people of limited means. They will be taxpayers in time, but today we are confronted by the fact that but thirty-five per cent of our lands are actually vested in private or corporate ownership and consequently taxable. Large areas will remain permanently in government ownership, but very considerable quantities will pass to private ownership and become taxable in the near future.

Complaint has been made of our tax system. It is not perfect and it is unlikely that any perfect system could be devised. Our interests are as conflicting as our industries are varied. In this situation we are fortunate and nevertheless perplexed. The subject of taxation is a large and a difficult one. I respectfully suggest that the subject will consume more time than is at your disposal and that it should have expert investigation. To that end I recommend that you create a non-partisan commission to be charged with the duty of fully investigating the whole subject of taxation in Montana, and fully authorized to draft a suitable constitutional amendment and statutory laws for the adequate and fair distribution of the burdens of taxation, for submission to the next session of the Assembly. It should not be forgotten, however, that there must be some provision for immediate revenue and that the realization of the plan just suggested will not meet the exigencies of the present occasion.

The adoption by the people at the last general election of a Constitutional amendment enlarging the powers and authority of the State and County Boards of Equalization will no doubt contribute in some degree to the relief of the present situation.

#### CONSOLIDATION OF OFFICES.

In view of the general financial condition of the State it would seem unwise to create many new departments or offices. The people are not demanding more public officials, but rather they are insisting upon a higher degree of efficiency on the part of those already existing in the performance of their duties. I am convinced that a saving may be made in the transaction of the State's business by an adjustment and consolidation of some of the existing departments.

The Compensation or Industrial Accident department has fully justified its creation. It has performed a most important service for the people of Montana in an efficient and economical manner. The first aim of this department embodies the idea of safety. That being the case, I respectfully suggest that all departments having to do with safety inspection should be merged into the Compensation department. This should include the Boiler Inspector's department, the Quartz Mine Inspector's department, and the Coal Mine Inspector's department. Your attention is respectfully directed to this matter.

The experience of the past two years has demonstrated the necessity for certain amendments to the existing Compensation law. I think that some of these amendments are essential and should be adopted. They are plainly set forth in the reports of the Board, which reports will be submitted to you for your careful consideration.

Another economy may be effected by merging the State Board of Stock Commissioners, the State Board of Sheep Commissioners and the State Livestock Sanitary Board into one body. The new board should be of limited membership in order to make it both economical and effective.

It is also possible to effect another saving in the consolidation of the Weights and Measures department and the State Board of Health.

Experience has taught that no good purpose can be served by too many boards or departments. Investigation will no doubt result in the formation of a comprehensive plan for the administration of the different matters now handled by these various boards.

#### STATE PURCHASING AGENT.

Many of the states have provided a Purchasing Agent or a Purchasing department, with full power and authority to make purchases of all supplies required by the State. Experience in those states has developed the fact that great economies may be accomplished by buying all State supplies in quantities and by the em-



ployment of men expert in the purchasing of the required commodities. The subject is well worthy of your attention.

### PRINTING.

Two years ago it was my pleasure to direct the attention of the Legislative Assembly to matters of printing. I take this occasion to again remark that much unnecessary printing is required under the terms of the primary and election statutes now in force in the State of Montana. Other and further economies may also be effected by the amendment of the statutes having to do with public printing.

### PRIMARY LAW.

The Primary Law should be simplified and the matter of alphabetical arrangement of names on ballots abolished. I do not believe the people would approve any measure attempting to abolish the principle of the primary law, but they will certainly welcome any amendment that will make it less expensive and less cumbersome.

### GOOD ROADS.

Suitable legal provision should be made to enable the State to enjoy the benefits of the new national good roads law. The law governing our State departments should be shaped to meet the exigencies of the occasion. In this I would respectfully urge that the provisions of our State law having to do with the licensing of motor vehicles be so amended as to impose the burden of furnishing number plates upon the State and compel the payment of all moneys and fees collected in that behalf into the State treasury.

The law should further fix the responsibility of the enforcement of the provisions having to do with registration upon the Highway Commission. Many vehicles have been escaping registration and consequent payment of the fee by reason of the fact that it is apparently the particular business of no one to compel strict compliance.

### STATE INSTITUTIONS.

The reports of those in charge of the different State institutions will be before you for your careful consideration. These reports give the details of the institutional growth, progress and condition at considerable length. It is sufficient for me to say to you at this time that all of the institutions of the State are in a thriving condition and are growing beyond expectation. The great difficulty in all instances is lack of financial support to justify adequate development. Some new buildings have been erected at the penal, charitable and such kindred institutions, whereas the educational institutions have been denied the opportunity to enjoy the same expansion.

In the view of the State officers and board members the first obligation was toward the poor unfortunates, the dependents of the State, those for whose comfort and welfare we must provide within the State. Invidious comparisons have been made between the amount of money spent by the State for the care of the insane, the criminals, the orphans, the wayward and the deficient on the one hand and the amount spent in the cause of higher education on the other hand. Our answer is that while both causes are twentieth-century necessities the former is the more pressing and must have first consideration. It is to be regretted that there are not sufficient funds available to satisfy the needs of all.

### CHANCELLORSHIP SYSTEM.

Under the Chancellorship system now in effect we have systematized the work of the educational institutions and have adopted a budget system. You will have the benefit of this system in the matter of considering appropriations for the greater University and its constituent parts. The experience of a little less than a year has proven that we are attaining a higher degree of efficiency and getting better results for the money expended than was possible under the old system. In the selection of a Chancellor we secured a man of eminent standing in the educational world, and our system is attracting the attention of educators every-

where. I am sure that your best efforts will be given to the matter of financing this system and developing it in its various features.

This budget system should be utilized in the handling of the financial affairs of the other State institutions and should ultimately come into general use in all of the State departments.

At the State University of Missoula the attendance has almost doubled in the last four years. No new buildings have been erected, although the capacity of the plant was overtaxed without the increased attendance.

Within the past few weeks a very disastrous fire occurred at the College of Agriculture and Meehanic Arts. The chemical laboratory was destroyed, together with much of the contents thereof. There was some insurance, but not nearly enough to make the State whole. With the loss of this building the conditions at Bozeman are likewise crowded.

The fact is that all of the educational plants have been more than taxed to their capacity, and some relief must come or the cause of higher education in Montana will suffer considerable injury.

#### INDUSTRIAL SCHOOL.

The State Industrial School at Miles City is in first-class shape. The last Assembly provided for the purchase of more land. One hundred and sixty acres were bought and added to the tract. It has given the management an opportunity to employ the boys, and splendid results have been obtained. The institution is sadly over-crowded. Recently there were 106 boys and 37 girls therein. Boys and girls should not be kept together under such circumstances. This institution would accommodate the wayward boys of the State without difficulty, but it is not possible to handle the boys and girls together and get even moderate results. The superintendent and local board advise me that land may be obtained near the present institution and buildings erected for the accommodation of the girls, and the same handled under the present management at a minimum cost. It seems absolutely necessary that there be an institution for girls. The suggestion of the local management seems to me reasonable and if adopted will no doubt make for economy and efficiency.

#### HOSPITAL FOR THE INSANE.

The number of insane has increased in proportion to our population. Four years ago there were 851 inmates at the State Hospital. At the close of the fiscal year, November 30 last, there were 1067 inmates. The capacity of this institution is also sadly overtaxed. It is only a question of time when we must have another institution. Just what can be done at this time I cannot advise you, but I do respectfully call your attention to the existing conditions, that you may give to the question such thought and attention as may be possible.

#### STATE PRISON.

The number of inmates of the State prison also has been very largely increased. However, the fact that we are able to work a good many of the prisoners on the outside has relieved the situation very appreciably. The warden advises me that the indeterminate sentence law enacted by the last Legislative Assembly has resulted in increasing the number of prisoners. This is due to the fact that a great many of the district judges of the State have failed to properly interpret the spirit of the law, in that they have fixed the maximum and minimum sentences so nearly together that it results in the defeat of the object sought to be attained.

Under the old system of inflicting a flat sentence a prisoner could ordinarily be paroled after having served half of the sentence. The new law provides that the prisoner shall not be paroled until he has served the minimum of his sentence. In the case of a sentence of not less than four years and eleven months nor more than five years it is readily discerned that no parole is possible, because the good time that the statute contemplates for exemplary conduct will terminate the sentence before a parole may intervene. Many such sentences as the one indicated have been imposed. I would suggest that there should be an amendment to the

indeterminate sentence act in order to hold the maximum and minimum penalties farther apart.

The last session of the Assembly provided for a bond issue of \$100,000.00 for buildings at the Hospital for the Insane and the Tuberculosis Sanitarium. The money has been expended and very substantial and modern buildings have been erected at both institutions.

#### OTHER STATE INSTITUTIONS.

It is my very great pleasure to report that all of the State institutions, the ones already mentioned, the Orphans' Home at Twin Bridges, the School for the Deaf and Blind at Boulder, and the Soldiers' Home at Columbia Falls, are fortunate in that the management in each instance is capable and efficient.

#### STATE FAIR.

The State Fair has prospered during the past two years, although there has been a slight falling away of revenue by reason of the abolition of racetrack gambling. However, I am prepared to say to you at this time that no more beneficial or acceptable reform has been accomplished in the State of Montana than that which forever abolished racetrack gambling in the State.

#### NATIONAL GUARD.

In the executive message of two years ago mention was made of the service rendered the State of Montana by the National Guard in the matter of the Butte disturbances. Since that time the Guard has again distinguished itself, but in a different field of service. The regiment has been developed, augmented in numbers and drilled to such an extent that in the service it was called upon to perform on the border the officers and men were the subject of much commendatory mention and notice. You should not forget to give to the National Guard of Montana a full measure of credit and such substantial support as may be found necessary and possible.

#### EXPOSITIONS.

Mention has already been made herein of the fact that the Fourteenth Assembly made appropriations for exhibits at the expositions at San Francisco and San Diego. This money was well expended. It gave to Montana much favorable advertising and resulted in the capture by the State of the grand prizes for cereals and apples, as well as the award of many medals to our citizens. This expenditure and consequent advertisement of our resources and products has contributed very materially to the splendid growth of the State.

#### FARM LOANS.

Montana is rapidly becoming an agricultural State. Our farming population will become more and more important as time goes on. In order that the farming industry and those engaged in agricultural pursuits may prosper they must have cheap money and low interest rates. This has been a subject of legislative consideration in both Nation and State. Two years ago in my regular message I called attention to the fact that suitable legislation should be enacted to admit of loaning the State school funds. Since that time the Supreme Court of the State has held that these funds may be legally loaned under the existing law. However, that law as construed by the Supreme Court does not go further than to vest in the State Board of Land Commissioners the right to make loans from the funds, taking real estate mortgages as security.

It seems to me that this Assembly should define the terms and conditions under which these loans may be made. The State school fund is a sacred trust. Losses occurring must be made good from the general fund. Too much care cannot be exercised in the investment of this trust fund of the children of the State of Montana. We are all anxious to bring the cheaper money and the low interest rates to the farmers. In my message of two years ago I made this statement:

"I am satisfied that a certain amount of this money can be utilized to ad-

vantage in making farm loans. With our growing population the amount of money available will not perhaps satisfy the needs or the demands of the borrowers, but it may tend to regulate interest rates and promote better conditions with regard to farm credits."

I am still firmly of that opinion. The new National Rural Credits Act will bring a considerable degree of relief along the lines just mentioned. The benefits of that act, taken in connection with a proper handling of the State funds ought to bring much prosperity to the agricultural interests of the State.

In view of the growing importance along agricultural lines your attention is respectfully called to the necessity for co-operation by the farmers of Montana. Suitable laws should be enacted to promote successful business co-operation in the conduct of elevators, creameries and similar enterprises, and for the formation of marketing associations. There should be a course established in the Agricultural College for the training of the youth along the line of farm and co-operative management.

#### GRAIN INSPECTION LAW.

The grain inspection law should be so amended as to define the term "unfair practices" and provide adequate punishment therefor. Our State law should be made to co-ordinate with the new Federal grain-grading law.

#### STATE HAIL INSURANCE.

Suitable provision should be made for State hail insurance at actual cost, the money to be raised upon the same principal as is employed in raising money for livestock indemnity and bounty purposes, the administration of the law to be carried out by the present officers of the State and counties. This may require a constitutional amendment, but if so it should nevertheless be accomplished.

#### COMPENSATION FOR SLAUGHTERED STOCK.

Much time, much money and effort have been devoted to the upbuilding of the dairy industry in Montana. Our Dairy department has done much toward raising the standard of the dairies and their products. The importation of thoroughbred dairy stock has played an important part in this matter also. Although considerable tuberculosis has developed in the imported herds, it would seem that our present statute providing for the compensation of owners of destroyed tubercular stock is not broad enough or liberal enough to adequately compensate the owners of high-priced and blooded dairy stock. Your attention is respectfully called to this condition, in order that the dairy industry in the State may be encouraged and developed.

#### STATE OWNED TERMINAL ELEVATORS.

Farmers in the grain-raising sections of the country are all interested in State owned terminal elevators. Montana is now a great grain growing State, but we are only in the infancy of production. We should not delay making provision for the handling of the crops of the future. I would suggest the importance of legal provisions to admit of the State building terminal elevators when the necessity arises.

#### STATE FIRE INSURANCE.

The matter of State fire insurance for the buildings and improvements now owned by the State is respectfully called to your attention.

#### BOUNTIES.

The experience of the last few years indicates that bounty reforms are necessary. This State is paying a great deal of money for bounties that might possibly be saved if it were not for the fact that our bounty allowances are in excess of those of our neighboring States.

#### CONGRESSIONAL DISTRICTS.

Your attention is respectfully directed to the necessity for dividing the State of Montana into Congressional districts.



## ELECTION LAWS.

Much benefit has been derived from the Absent Voter law enacted by the last Assembly. It has been suggested that the law could be made broader in its terms in order to admit of the voting of those physically unable to reach the polls.

## ENROLLED MILITIA.

Complying with the provisions of the Statutes, I have the honor to advise you that, according to the returns of the County Assessors of the several counties of the State, the number of able-bodied male citizens qualified for the performance of military duty is 71,179.

## DISBURSEMENTS BY THE GOVERNOR.

In accordance with the provisions of the Constitution, I submit the following statement of moneys belonging to the State and received by the Governor and by him paid to the State Treasurer, for the biennial period ended November 30, 1916:	
Five per cent Government land sales.....	\$ 48,903.36
25 Per cent Government forest reserve receipts.....	169,441.50
U. S. aid to State Soldiers' Home.....	17,700.00
Total .....	\$236,044.86

## CONCLUSION.

In closing permit me to suggest to you that partisanship should have little part in our deliberations. While we were all elected on tickets having political party designations, I am sure that we all realize that party solidarity was rudely shattered in Montana, as elsewhere in the United States, on November seventh last. The ultimate object of all government is efficiency. The people exercised a degree of discrimination in the selection of this Legislative body. It cannot be said to have been a political discrimination, but rather a personal one.

It is very evident that a record of party loyalty will not serve as a substitute for personal and official efficiency. The people of the various counties will not sit around their firesides this winter and gloat over the fact that you are following the party leader and voting consistently for party measures only. There are no party measures, and the people know it. The people want results—some non-partisan, ordinary workaday results without any party label, but sufficiently plain and homely to be of service to them as individuals rather than to the politicians. If you are to give forth such results you must for the time forget all other considerations save the State and her citizens.

With this central thought in mind I extend to you a most cordial invitation to join hands and unite our efforts in the splendid cause of legislating for the whole people. If our efforts are to succeed, we shall need to be diligent, studious, conservative and constructive. May we with confident assurance indulge the hope that the results may justify our fondest expectations.

S. V. STEWART, Governor.

On motion of Senator Edwards a vote of thanks was extended to His Excellency, the Governor, by the Joint Assembly, for the very able message delivered.

On motion of Senator Whiteside a committee of three was appointed, consisting of Blake and Morrow and Whiteside, to attend to the printing of the Governor's message.

On motion of Senator Edwards, the Joint Assembly was dissolved and the Senate retired from the floor of the House.

House resumed.

Mr. Speaker in the Chair.

The Journal of the first day read, corrected, and approved as corrected.

## COMMUNICATIONS AND PETITIONS.

The following communication was received:

Butte, Montana, 11:32 A. M., January 2, 1917.

Mr. Speaker and Members of the House of Representatives, Helena, Montana:

Respectfully submit for your consideration proposition to supervise and sup-

ply clerical force, including all other help and supplies for the Fifteenth Legislative Session for forty per cent of saving below total cost of Fourteenth Session with guarantee to save four thousand dollars or more to State, caucus employees to remain if desired.

W. J. WALSH.

This communication was referred to the Committee on Employees, when appointed.

Mr. Speaker announced that the Committee on Employees would consist of Representatives Flanigan, Ashby and Searles.

On motion of Higgins the motion of yesterday to appoint a committee in reference to the postmastership of the House and Senate was reconsidered, and motion was carried.

On motion of Blake the motion to appoint a committee in reference to the postmastership of the Senate and House was indefinitely postponed.

On motion of Lemmon House adjourned until 11:00 A. M. Wednesday, January 3, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## THIRD DAY

Wednesday, January 3, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called and all members present except Davis and Eliel.

Motion by Murray of Cascade that the Journal of the preceding day be considered read and approved. Motion carried.

### COMMUNICATIONS AND PETITIONS.

The following communications were received from His Excellency, the Governor:

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to transmit herewith the State Auditor's detailed estimate of receipts and expenditures of the State of Montana for the two appropriation years ending February 28, 1919.

Helena, Montana, December 29, 1916.

Hon. S. V. Stewart, Governor, Helena, Montana.

Sir: I have the honor to transmit herewith, in compliance with Section 420, Political Code, Revised Codes of Montana, the estimated receipts and expenditures for the next two appropriation years, commencing March 1st, 1917, and ending February 28, 1919.

Each object of expenditure is specified, some as provided for by permanent or temporary appropriations, and others must be provided for by new statutes.

The estimated revenue or means from which such expenditures are to be defrayed, are itemized herein.

Estimated expenditures are as per attached report.

I would respectfully suggest that the following departments or bureaus be placed on a strict appropriation, the same as all other State departments:

State Banking Fund.

State Highway Commission.

State Game and Fish Fund.

State Land Office.

This suggestion will be a great saving to the State at large, as it would place the administrative officials of the departments mentioned to economize. As at the present time they have virtually an unlimited expense, whereas, all other departments are held strictly to the amount of their appropriation. Legislation

may be arranged at this present session to place the departments mentioned in the general appropriation.

Respectfully,  
(Signed) WILLIAM KEATING, State Auditor.

Enclosure.

### DETAILED ESTIMATE OF EXPENDITURES.

#### EXECUTIVE DEPARTMENTS.

Estimated Expense for the Year.	1917.	1918.
Office of Governor:		
Salary of Governor .....	\$ 7,500.00	\$ 7,500.00
Salary of Private Secretary .....	2,400.00	2,400.00
Salary of Stenographer .....	1,500.00	1,500.00
Office and Traveling Expenses .....	1,500.00	1,500.00
Governor's Conference .....	250.00	250.00
Office of Attorney General:		
Salary of Attorney General .....	4,500.00	4,500.00
Salary of First Assistant .....	3,000.00	3,000.00
Salary of Second Assistant .....	3,000.00	3,000.00
Salary of Third Assistant .....	3,000.00	3,000.00
Salary of Law Clerk .....	2,100.00	2,100.00
Salary of Stenographer .....	1,200.00	1,200.00
Office and Traveling Expenses .....	2,500.00	2,500.00
Office of Secretary of State:		
Salary of Secretary of State .....	3,000.00	3,000.00
Salary of Deputy .....	2,100.00	2,100.00
Salary of Chief Clerk .....	1,800.00	1,800.00
Extra Clerical Hire .....	700.00	300.00
Office and Traveling Expenses .....	1,500.00	1,500.00
Expense of Department of Weights and Measures, including Salary of Deputy Sealer of Weights and Measures .....	4,000.00	4,000.00
Postage on Session Laws and Reports .....	300.00	
Office of State Auditor:		
Salary of State Auditor .....	3,000.00	3,000.00
Salary of Deputy .....	2,100.00	2,100.00
Salary of Deputy Commissioner of Insurance .....	2,100.00	2,100.00
Salary of Chief Clerk .....	1,800.00	1,800.00
Salary of Warrant Clerk .....	1,500.00	1,500.00
Salary of two Stenographers, \$1,200.00 each .....	2,400.00	2,400.00
Office and Traveling Expenses .....	2,500.00	2,500.00
Employment of Actuary, Insurance Department .....	1,200.00	2,500.00
Office of State Treasurer:		
Salary of State Treasurer .....	3,000.00	3,000.00
Salary of Deputy Treasurer .....	2,100.00	2,100.00
Salary of Clerk .....	1,800.00	1,800.00
Salary of Stenographer .....	1,200.00	1,200.00
Office and Traveling Expenses .....	1,000.00	1,000.00
Official Bond of State Treasurer .....	2,000.00	2,000.00
Office of Superintendent of Public Instruction:		
Salary of Superintendent of Public Instruction .....	3,000.00	3,000.00
Salary Deputy Supt. of Public Instruction .....	2,100.00	2,100.00
Salary of Assistant .....	2,100.00	2,100.00
Salary of Rural School Inspector .....	2,100.00	2,100.00
Salary of Additional Inspector .....	2,100.00	2,100.00
Salary of Clerk .....	1,200.00	1,200.00
Salary of Stenographer .....	1,200.00	1,200.00
Office and Traveling Expenses .....	5,000.00	5,000.00
Printing .....	5,000.00	5,000.00
Text Book Commission .....	500.00	500.00
Teachers' Retirement Fund Board .....	1,500.00	1,500.00

	1917.	1918.
Office of Railroad Commissioners:		
Salary of Commissioners .....	12,000.00	12,000.00
Salary of Secretary .....	3,000.00	3,000.00
Salary of Rate Clerk .....	2,500.00	2,500.00
Salary of Two Safety Appliance Inspectors .....	3,600.00	3,600.00
Salary of Stenographer .....	1,200.00	1,200.00
Salary of Boat Inspector .....	1,200.00	1,200.00
One-half Reporter's Salary .....	1,200.00	1,200.00
One-half Expense Printing and Mailing Annual Report .....	400.00	400.00
Office and Traveling Expenses, including Extra Clerical Hire .....	5,700.00	5,700.00
Office of Public Service Commission:		
Salary of Auditor .....	2,400.00	2,400.00
Salary of Engineer .....	2,400.00	2,400.00
One-half of Reporter's Salary .....	1,200.00	1,200.00
Salary of Stenographer .....	1,200.00	1,200.00
One-half Expense Printing and Mailing Annual Report .....	400.00	400.00
Office and Traveling Expenses, including Extra Clerical Hire .....	5,000.00	5,000.00
Office of Chancellor:		
Salary of Chancellor .....	8,000.00	8,000.00
Salary of Secretary .....	1,500.00	1,500.00
Salary of Stenographer .....	1,200.00	1,200.00
Office and Traveling Expenses .....	2,500.00	2,500.00
Office of State Examiner:		
Salary of State Examiner .....	3,000.00	3,000.00
Salary of First Assistant .....	2,400.00	2,400.00
Salary of Second Assistant .....	2,100.00	2,100.00
Salary of Deputy Examiner .....	1,800.00	1,800.00
Salary of Deputy Examiner .....	1,800.00	1,800.00
Salary of Deputy Examiner .....	1,800.00	1,800.00
Salary of Deputy Examiner .....	1,800.00	1,800.00
Salary of Deputy Examiner .....	1,800.00	1,800.00
Salary of Deputy Examiner .....	1,800.00	1,800.00
Salary of Clerk .....	1,200.00	1,200.00
Salary of Clerk .....	1,200.00	1,200.00
Office and Traveling Expenses .....	24,000.00	24,000.00
Office of State Veterinary Surgeon:		
Salary of Veterinary Surgeon .....	3,000.00	3,000.00
Salary of Deputy .....	1,500.00	1,500.00
Salary of Clerk .....	1,200.00	1,200.00
Office and Traveling Expenses Veterinary Surgeon.....	3,000.00	3,000.00
Traveling Expenses Deputy Veterinary Surgeon.....	2,500.00	2,500.00
Bureau of Agriculture and Publicity:		
Salary of Commissioner .....	2,500.00	2,500.00
Salary of Chief Clerk .....	2,100.00	2,100.00
Salary of Stenographer .....	1,200.00	1,200.00
For Publicity Purposes .....	10,000.00	10,000.00
Bureau of Child and Animal Protection:		
Salary of Secretary .....	2,500.00	2,500.00
Salary of Special Deputy .....	1,800.00	1,800.00
Salary of Butte Deputy .....	1,800.00	1,800.00
Salary of Havre Deputy .....	1,800.00	1,800.00
Salary of Kalispell Deputy .....	1,800.00	1,800.00
Salary of Missoula Deputy .....	1,800.00	1,800.00
Salary of Billings Deputy .....	1,800.00	1,800.00
Salary of Great Falls Deputy .....	1,800.00	1,800.00
Salary of Stenographer .....	900.00	900.00
Expenses (Office and Traveling) .....	7,200.00	7,200.00



Bureau of Labor and Industry:	1917.	1918.
Salary of Commissioner .....	2,500.00	2,500.00
Salary of Chief Clerk .....	2,100.00	2,100.00
Salary of Stenographer.....	1,200.00	1,200.00
Office and Traveling Expenses .....	2,000.00	2,000.00
Board of Entomology:		
Expenses .....	5,000.00	5,000.00
Office of State Board of Health:		
Salary of Secretary .....	3,000.00	3,000.00
Salary of Clerk .....	1,200.00	1,200.00
Salary of two Stenographers, \$1,200.00 each.....	2,400.00	2,400.00
Expenses .....	4,000.00	4,000.00
Bacteriological Laboratory .....	5,000.00	5,000.00
Expense Enforcing Pure Food Law.....	3,000.00	6,000.00
Water and Food Laboratory .....	5,000.00	5,000.00
State Board of Education:		
Traveling Expense, Members .....	1,700.00	1,700.00
State Board of Horticulture:		
Salary of State Horticulturist .....	2,500.00	2,500.00
Salary of Secretary .....	1,000.00	1,000.00
Office, Inspection and Traveling Expenses.....	11,500.00	11,500.00
State Board of Sheep Commissioners:		
Salary of Secretary .....	1,000.00	1,000.00
Office and Inspection Expense .....	4,000.00	4,000.00
State Board of Stock Commissioners:		
Salary of Secretary .....	3,000.00	3,000.00
Salary of Chief Clerk .....	2,100.00	2,100.00
Salary of Stenographer .....	1,200.00	1,200.00
Salary of Stenographer .....	780.00	780.00
Salaries and Expenses, including District Inspectors in the State and Brand and Detective Inspectors at the Market .....	7,920.00	7,920.00
Office of State Historical Library:		
Salary of Librarian .....	2,100.00	2,100.00
Salary of First Assistant .....	1,200.00	1,200.00
Salary of Second Assistant .....	1,200.00	1,200.00
Expense, including Purchase of Books, etc., and the Collection of Historical Material .....	3,000.00	3,000.00
Office of the State Law Library:		
Salary of Librarian .....	2,500.00	2,500.00
For Purchase of Books .....	3,000.00	3,000.00
Library Expenses and Indexing of Session Laws.....	900.00	900.00
Library Expenses and Insurance .....		900.00
Clerical Work .....	1,200.00	1,200.00
Office of the State Fair:		
Salary of Secretary .....	3,000.00	3,000.00
Office of State Boiler Inspector:		
Salary of the State Boiler Inspector.....	2,500.00	2,500.00
Salary Three Assistant Boiler Inspectors .....	6,300.00	6,300.00
Salary of Clerk .....	1,500.00	1,500.00
Traveling and Office Expenses .....	7,000.00	7,000.00
Office of the State Dairy Commissioner:		
Salary of Commissioner .....	2,400.00	2,400.00
Salary of two Deputies .....	2,400.00	2,400.00
Salary of Stenographer .....	1,200.00	1,200.00
Expense of Commissioner .....	800.00	800.00
Expense of two Deputies .....	2,500.00	2,500.00
Office Expenses .....	300.00	300.00
Office of the State Engineer:		
Salary of State Engineer .....	3,000.00	3,000.00
For Field and Office Expenses .....	1,000.00	1,000.00
For Stream Measurement and Hydrographic Work.....	12,500.00	12,500.00



Office of State Coal Mine Inspector:	1917.	1918.
Salary of State Coal Mine Inspector.....	2,500.00	2,500.00
Office and Traveling Expenses .....	2,500.00	2,500.00
Office of State Mine Inspector:		
Salary of State Mine Inspector .....	2,500.00	2,500.00
Salary of Assistant Mine Inspector .....	2,400.00	2,400.00
Office and Traveling Expenses .....	2,100.00	2,100.00
Office of State Parole Commissioner:		
Salary of Commissioner .....	2,000.00	2,000.00
Traveling Expenses .....	2,000.00	2,000.00
Salary of Stenographer .....	600.00	600.00
Office of the State Board of Examiners:		
Salary of Clerk of Board of Examiners .....	2,100.00	2,100.00
Salary of State Accountant .....	2,100.00	2,100.00
Traveling Expenses .....	1,000.00	1,000.00
Contingent Expense .....	5,000.00	5,000.00
Traveling Expenses, State Accountant .....	1,000.00	1,000.00
Office of the Industrial Accident Board:		
Salary of Chairman .....	4,000.00	4,000.00
Salary of Secretary .....	2,100.00	2,100.00
Salary of Accountant .....	2,100.00	2,100.00
Salary of Statistician .....	1,500.00	1,500.00
Salary of Filing Clerk .....	1,500.00	1,500.00
Salary of three Stenographers at \$1,200.00.....	3,600.00	3,600.00
Office and Traveling Expenses .....	10,200.00	10,200.00
Office of Adjutant General:		
Salary of Adjutant General .....	2,400.00	2,400.00
Salary of Stenographer .....	300.00	300.00
Office and Traveling Expenses .....	1,000.00	1,000.00
Office of Consolidated Boards:		
Salary of Clerk .....	2,100.00	2,100.00
Extra Clerical Hire .....	200.00	200.00
Office Expense .....	300.00	300.00
Traveling Expenses, Members .....	500.00	500.00
Office of Board of Charities and Reform:		
Expenses .....	500.00	500.00
Office of State Board of Examiners for Mine Positions:		
Expenses .....	500.00	500.00
Office of State Entomologist:		
Expenses .....	2,700.00	2,700.00
Office of State Board of Poultry Husbandry:		
Expenses .....	500.00	500.00
Office of Custodian of War Documents and Relics:		
Salary of Custodian .....	900.00	900.00
Expenses .....	300.00	300.00
Office of Livestock Sanitary Board:		
Salary of Clerk .....	1,200.00	1,200.00
Office and Traveling Expenses, including Tuberculin Testing .....	26,300.00	26,300.00
	<hr/> \$480,500.00	<hr/> \$480,800.00

## JUDICIAL DEPARTMENT.

Office of the Supreme Court:		
Salaries of three Supreme Justices .....	\$ 18,000.00	\$ 18,000.00
Compensation for Reporting Decisions .....	4,500.00	4,500.00
Salary of Clerk of Supreme Court .....	2,500.00	2,500.00
Salary of Stenographer .....	2,400.00	2,400.00
Salary of Marshal .....	1,500.00	1,500.00
Salary of Attendant .....	1,200.00	1,200.00
Printing Montana Reports .....	1,800.00	1,800.00
Expenses of Court not otherwise provided for.....	1,000.00	1,000.00

	1917.	1918.
Office and other Expenses, Clerk Supreme Court.....	750.00	750.00
Filing Case for Transcripts and Briefs .....	850.00	850.00
County Attorneys:		
Salaries .....	38,000.00	38,000.00
District Judges:		
Salaries .....	100,000.00	100,000.00
Expenses .....	7,500.00	7,500.00
	<hr/> \$180,000.00	<hr/> \$179,150.00

## MAINTENANCE.

Agricultural College .....	\$ 150,000.00	\$ 150,000.00
Capitol Building .....	30,000.00	30,000.00
Deaf and Blind School .....	150,827.50	90,000.00
Experiment Station .....	65,000.00	65,000.00
Fair .....	20,000.00	20,000.00
Fair Betterment and Improvements .....	7,500.00	7,500.00
Farmers' Extension Work .....	15,000.00	16,000.00
Farmers' Institute .....	12,000.00	12,000.00
Fergus County Sub-Station .....	5,000.00	5,000.00
Governor's Residence .....	5,000.00	5,000.00
Grain Laboratory .....	4,000.00	4,000.00
Horticultural Sub-Station .....	2,500.00	2,500.00
Huntley Sub-Station .....	1,000.00	1,000.00
Industrial School .....	77,000.00	76,500.00
Insane Asylum .....	275,000.00	275,000.00
National Guard .....	12,500.00	12,500.00
Normal College .....	75,000.00	75,000.00
Northern Montana Agricultural Manual Training School .....	5,000.00	5,000.00
Orphans' Home .....	108,000.00	65,000.00
Prison .....	200,000.00	210,000.00
School of Mines .....	15,000.00	15,000.00
Soldiers' Home .....	37,500.00	33,000.00
Tuberculosis Sanitarium .....	55,000.00	65,000.00
University .....	225,000.00	225,000.00
	<hr/> \$1,552,827.50	<hr/> \$1,485,000.00

## MISCELLANEOUS.

Acting Governor .....	\$ 750.00	\$ 750.00
Firemen's Disability .....	16,000.00	16,000.00
Interest on Bounty Claims .....	3,000.00	3,000.00
Public Printing .....	32,500.00	32,500.00
Requisitions .....	3,250.00	3,250.00
Rewards .....	1,000.00	1,000.00
Transportation of Prisoners .....	10,500.00	10,500.00
	<hr/> \$67,000.00	<hr/> \$67,000.00

## DEFICIENCIES.

	1917.
Salary of Governor .....	\$ 41.67
State Board of Health, Expense .....	500.00
Salaries of County Attorneys .....	3,802.50
Expenses of District Judges .....	1,000.00
Firemen's Disability .....	7,574.71
Public Printing .....	10,041.67
Requisitions .....	1,500.00
Transportation of Prisoners .....	3,000.00
	<hr/> \$27,398.88

## LEGISLATIVE EXPENDITURES.

Mileage and Per Diem, Members .....	\$ 90,000.00
Per Diem, Officers and Attaches .....	55,000.00
Incidental Expenses .....	15,000.00
	<hr/>
	\$160,000.00

## INCOME.

Estimated Income for the Years.	1917	1918.
Taxes, 2½ Mill Levy from Counties.....	\$1,300,000.00	\$1,412,500.00
Licenses .....	297,500.00	215,000.00
State Examiner's Fees .....	12,500.00	12,500.00
Interest on State Funds .....	40,000.00	40,000.00
Insurance Fees .....	190,000.00	190,000.00
Miscellaneous .....	295,000.00	295,000.00
Interest and Income on Investment in Bonds.....	165,000.00	175,000.00
	<hr/>	<hr/>
	\$2,300,000.00	\$2,340,000.00

## RECAPITULATION.

Estimated Income for the Year 1917.....	\$2,300,000.00	
Estimated Income for the Year 1918.....	2,340,000.00	\$4,640,000.00
	<hr/>	
Estimated Executive Expenditures for 1917.....	480,500.00	
Estimated Executive Expenditures for 1918.....	480,800.00	
Estimated Judicial Expenditures for 1917.....	180,000.00	
Estimated Judicial Expenditures for 1918.....	179,150.00	
Estimated Maintenance Expenditures for 1917.....	1,552,827.50	
Estimated Maintenance Expenditures for 1918.....	1,485,000.00	
Estimated Miscellaneous Expenditures for 1917.....	67,000.00	
Estimated Miscellaneous Expenditures for 1918.....	67,000.00	
Estimated Deficiencies .....	27,398.88	
Fifteenth Legislative Assembly .....	160,000.00	
	<hr/>	
		\$4,679,676.38

Estimated Expenditures in Excess of Income.....

\$39,676.38

The Speaker of the House of Representatives, Helena, Montana:

In compliance with the provisions of the Constitution, I have the honor to transmit herewith a report of the Conditional Pardons and Commutations of Sentence granted since the time of the report to the Fourteenth Legislative Assembly.

(Signed) S. V. STEWART, Governor.

Report of Conditional Pardons and Commutations of Sentence granted since the report to the Fourteenth Legislative Assembly:

## CONDITIONAL PARDONS.

Andrew Davis—Pleaded guilty to charge of statutory rape in Lincoln County September 30, 1913, and sentenced to ten years. Pardoned July 14, 1915, on condition that he marry the woman with whom he had been living and legitimize the three children and provide for their support.

M. H. McKenzie—Given a suspended sentence in Sheridan County in 1914; later committed to prison for violation of parole; because of affliction given a conditional pardon, so that relatives might afford treatment immediately.

## COMMUTATIONS.

W. A. Roberts—Committed from Silver Bow County March 28, 1911, for twelve years, for murder in second degree. Because of good conduct in prison and recommendation by officials who had to do with his trial, sentence commuted on January 20, 1915, to eight years.

Chas. Capalette—Committed from Valley County July 26, 1909, for thirty years for rape. Sentence commuted January 20, 1915, to ten years, on recommendation of Warden, based on prisoner's good record.

Gus Lentz—Committed from Valley County September 30, 1910, for seventeen years, for murder in second degree. Had been a faithful worker during his term and was recommended for clemency by warden. Sentence commuted January 20, 1915, to eight years.

James Benson—Committed from Gallatin County October 8, 1911, for ten years, for burglary. Presiding judge recommended clemency, and upon showing that prisoner had tuberculosis, sentence was commuted on January 20, 1915, to two years.

W. G. Sallas—Committed from Rosebud County February 21, 1913, for five years, for assault in second degree. Because of doubt as to guilt and upon recommendation of warden, sentence was commuted on January 20, 1915, to two years.

Robert Walsh—Committed from Valley County August 11, 1903, for life, for murder in second degree. Sentence commuted on January 20, 1915, to twenty-two years, because of extenuating circumstances and prisoner's good record.

Earl Streeter—Committed from Valley County June 26, 1914, for two years, for grand larceny. Because of recommendation of presiding judge and many others, sentence commuted on January 20, 1915, to one year.

Henry F. Steinke—Committed from Flathead County April 13, 1914, for three years, for grand larceny. On recommendation of Judge and County Attorney, sentence was commuted on March 19, 1915, to two years.

A. T. Howard, Henry Johnson and Albert Henry Jones—Committed from Silver Bow County December 27, 1909, for fifteen years each, for murder in second degree. Because of circumstances surrounding case it was apparent that the prisoners were guilty of manslaughter only, and on March 23, 1915, sentences were commuted to ten years each, the maximum punishment for manslaughter.

Edward Mitchell—Committed from Fergus County October 8, 1910, for ten years, for assault in first degree. Because of good record and warden's recommendation, sentence was commuted on March 23, 1915, to eight years.

Robert Albertson—Committed from Choteau County April 3, 1912, for nine years, for grand larceny. Upon warden's recommendation for good conduct, sentence was commuted on March 23, 1915, to six years.

M. J. Harrison—Committed from Carbon County May 29, 1908, for fifty years, for murder in second degree. Because of recommendations of presiding judge and eight of jurors who tried Harrison and petitions from numerous citizens, sentence was commuted on May 5, 1915, to fifteen years.

Frank McDaniels—Committed from Blaine County October 8, 1912, for eight years, for manslaughter. Circumstances indicated prisoner had received a heavier sentence than was justified, and on May 5, 1915, sentence was commuted to five years.

Earnest Phelps—Committed from Sanders County October 2, 1912, for seven years, for robbery. Presiding judge and others interested in case recommended clemency, and on May 5, 1915, sentence was commuted to five years.

Fred Mayo—Committed from Teton County October 4, 1910, for ten years for burglary. Clemency recommended by presiding judge and warden of prison. Sentence commuted on May 28, 1915, to eight years.

Robert Hill—Committed from Rosebud County July 29, 1913, for five years, for robbery. There seemed serious doubt as to the prisoner's guilt and on May 28, 1915, sentence was commuted to four years.

Owen Wynne—Committed from Cascade County November 23, 1913, for five years, for grand larceny. The victim of the larceny and the county attorney recommended clemency and on June 1, 1915, sentence was commuted to three years.

Albert Ogle—Committed from Yellowstone County July 22, 1913, for five years, for burglary. History of case and prisoner showed latter to be entitled to consideration, and on June 5, 1915, sentence was commuted to three years.

Patrick Quirk—Committed from Silver Bow County October 20, 1911, for twenty years, for robbery. Quirk's partner in the crime was given five years, and upon recommendation of district judge and county attorney's office, sentence was commuted on June 5, 1915, to five years.

George Reeves—Committed from Silver Bow County November 13, 1911, for twenty years, for white slavery. On account of his youth, many officials and



private citizens petitioned for clemency, and on June 8, 1915, sentence was commuted to five years.

Harry Rheams—Committed from Cascade County April 25, 1909, for life, for murder in first degree. Rheams was a mere boy at the time of the crime and the county attorney and other officials joined in a recommendation for leniency. On June 12, 1915, sentence was commuted to twelve years.

Jack Logan—Committed from Cascade County March 21, 1914, for five years, for grand larceny. Upon recommendation of judge, county attorney and others, sentence was on June 12, 1915, commuted to two years.

Harry C. Mannon—Committed from Meagher County March 24, 1915, for one year for killing and maiming livestock. Petitions in prisoner's behalf were submitted by many citizens, including the twelve jurors who heard the evidence. On June 19, 1915, sentence was commuted to six months.

Daniel Shea—Committed from Choteau County December 23, 1908, for life for murder; on December 21, 1912, sentence was commuted to fifteen years. For more than four years Shea had worked in the road camps, cooking for the prisoners. In view of his admirable record he was recommended for further clemency by the warden, and on September 9, 1915, sentence was commuted to thirteen years.

P. G. Keating—Committed from Mineral County March 2, 1915, for eighteen months, for obtaining money by means of a worthless check. On account of the previous good record of the prisoner and the fact that he got into trouble through drink, and his good conduct as a prisoner, sentence was on September 15, 1915, commuted to one year.

T. J. Doyle—Committed from Big Horn County April 21, 1914, for four years, for grand larceny. Prisoner had a family to support, and as he had an excellent record at the prison it was deemed proper to give him another chance. Sentence was on September 30, 1915, commuted to two years and six months.

Cyrus A. Spangler—Committed from Fergus County March 11, 1910, for twenty-five years, for murder in second degree. After hearing statements of the presiding judge and others interested in Spangler's case, sentence was on October 15, 1915, commuted to ten years.

Chas. Ross—Committed from Sanders County November 16, 1907, for thirty years, for rape. On account of good showing made in behalf of prisoner, sentence was on December 7, 1915, commuted to sixteen years.

W. F. Leichtnam—Committed from Custer County March 26, 1912, for ten years, for manslaughter. Because of faithful work while a prisoner, sentence was on December 7, 1915, commuted to eight years.

William Giles—Committed from Choteau County March 9, 1906, for thirty years, for murder in second degree. Because of good work in prison, sentence was on December 7, 1915, commuted to twenty years.

Matteo Mannello—Committed from Custer County March 1, 1908, for twenty-five years, for murder in the second degree. Because of excellent record in prison, sentence was on December 7, 1915, commuted to fifteen years.

Oscar Ford—Committed from Silver Bow County April 23, 1913, for seven years, for burglary. As a reward for faithful service sentence was on December 7, 1915, commuted to five years.

John Murray—Committed from Gallatin County October 27, 1911, for ten years, for burglary. Because of good record as a worker in prison, sentence was on December 7, 1915, commuted to eight years.

W. S. Settles—Committed from Deer Lodge County October 11, 1904, for thirty-five years, for burglary. He had been a faithful worker during his incarceration, and on December 7, 1915, sentence was commuted to twenty years.

J. L. Chevigny—Committed from Missoula County March 16, 1912, for twelve years, for arson. Because of faithful conduct and other facts connected with his case, sentence was on December 7, 1915, commuted to seven years.

Claude Kelsey—Committed from Carbon County December 20, 1914, for five years, for rape. The showing made in application for clemency was such as to cause a commutation of sentence to two years, on December 7, 1915.

James Meddles—Committed from Yellowstone County February 23, 1906, for fifty years, for murder in second degree. Faithful service and other facts in



prisoner's case caused a commutation of sentence to twenty years, on December 7, 1915.

Isadore Willette—Committed from Valley County December 21, 1911, for fourteen years, for grand larceny. As a reward for faithful work as a prisoner, sentence was on December 7, 1915, commuted to eight years.

Ray Johnson—Committed from Cascade County May 1, 1914, for five years, for grand larceny. On December 7, 1915, sentence was commuted to three years, in consideration of prisoner's good record.

Charles Barnes—Committed from Beaverhead County December 17, 1911, for ten years, for burglary. Because of good work as a prisoner he was recommended for clemency by the warden and on December 7, 1915, sentence was commuted to eight years.

John James Reynolds—Committed from Sanders County December 11, 1906, for twenty-five years, for murder in second degree. Having served faithfully in convict employment, he was recommended for clemency and on December 7, 1915, sentence was commuted to eighteen years.

Ed. Buckley—Committed from Beaverhead County December 17, 1911, for ten years, for burglary. As a reward for faithful work, sentence was on December 22, 1915, commuted to eight years.

L. Bercie—Committed from Carbon County November 11, 1913, for ten years, for murder in second degree. He had made an excellent record as a worker in prison, and on December 28, 1915, sentence was commuted to five years.

Joseph B. Herlihy—Committed from Beaverhead County December 17, 1911, for ten years, for manslaughter. Upon recommendation, because of his faithful service, sentence was on December 29, 1915, commuted to eight years.

Isaac Peters—Committed from Cascade County April 21, 1915, for not less than two nor more than two years, for rape. Sentence was irregular and on November 30, 1915, it was commuted to not less than eight months nor more than two years.

Fred Stidham—Committed from Galatin County July 28, 1914, for five years, for statutory rape. Subsequent to his commitment, an investigation by the presiding judge convinced that official that the sentence imposed was too severe. Upon his recommendation sentence was on December 30, 1915, commuted to three years.

Nels O. Hall—Committed from Sanders County December 11, 1906, for thirty years, for murder in first degree. Because of faithful work as a prisoner and other facts in the case, sentence was on February 19, 1916, commuted to eighteen years.

Leroy Brickley—Committed from Blaine County April 4, 1914, for five years, for forgery. Brickley desiring to re-enlist in the U. S. navy, and clemency being recommended by the judge and county attorney, sentence was on March 23, 1916, commuted to two years.

Eugene McKiernan—Committed from Silver Bow County March 6, 1915, for not less than two years nor more than three years, for grand larceny. Upon recommendation of judge and county attorney, sentence was on April 11, 1916, commuted to not less than one year nor more than three years.

Oscar S. Pritchard—Committed from Custer County July 6, 1915, for not less than one and one-half years nor more than five years, for grand larceny. Judge and county attorney intervened in prisoner's behalf, and on April 24, 1916, sentence was commuted to not less than one year nor more than five years.

James Moraco—Committed from Fallon County November 14, 1915, for from one to three years, for assault in the second degree. Moraco has a large family in need of his support, and upon recommendation of the presiding judge, sentence was on May 5, 1916, commuted to from six months to three years.

R. E. O'Brien—Committed from Beaverhead County June 7, 1914, for five years for forgery. He had a good record as a prison worker, and in order to give him the benefit of the indeterminate sentence law his sentence was on May 10, 1916, commuted to not less than two nor more than five years.

Walter E. Fegl and Ray S. Pierce—Committed from Choteau County December 5, 1915, for rape, for respectively not less than three nor more than five years and not less than two years and nine months nor more than four years. Upon representations made and petitions filed, sentences were commuted on May 15,

1916, as follows: In the case of Fegl, not less than six months nor more than five years; in the case of Pierce, not less than six months, nor more than four years.

Chas. E. Reed—Committed from Fergus County October 8, 1915, for burglary, for not less than one year nor more than two years. Upon recommendation of judge and county attorney, sentence was on May 22, 1916, commuted to not less than seven months nor more than two years.

A. C. Dickens—Committed from Custer County for from two and one-half years to four years, for forgery. Because of his excellent record in prison, sentence was on June 24, 1916, commuted to not less than one year nor more than four years.

Frank Baler—Committed from Beaverhead County September 20, 1914, for five years, for grand larceny. To give the prisoner the benefit of the indeterminate sentence law, sentence was on June 24, 1916, commuted to not less than two years nor more than five years.

C. C. Robinson—Committed from Beaverhead County September 20, 1914, for five years for grand larceny. For same reasons actuating in Baker's case, sentence was on June 24, 1916, commuted to not less than two years nor more than five years.

James A. Taylor—Committed from Fergus County June 12, 1914, for five years, for grand larceny. Sentence was on June 24, 1916, commuted to not less than two nor more than five years, in order to give the prisoner the benefit of the indeterminate sentence law.

Frank and Tom Belgrade—Committed from Cascade County September 25, 1915, for two to two and one-half years each, for grand larceny. On account of the youth of the prisoners, and having in mind the sentence imposed upon the third party to the offense, who was the real offender, sentence was on August 1, 1916, commuted to not less than one year nor more than two and one-half years.

C. J. Collins—Committed from Silver Bow County April 19, 1915, for two years, for passing a fictitious check. He made a good record in prison and at the road camps, and on August 7, 1916, sentence was commuted to not less than one year nor more than two years.

George Hibben—Committed from Valley County November 30, 1915, for not less than one year nor more than three years, for assault in second degree. Because of the condition of his family it was believed best to intervene in Hibben's case and on August 28, 1916, sentence was commuted to not less than nine months nor more than three years.

Ed. Romstad—Committed from Cascade County January 30, 1916, for not less than one year nor more than eighteen months, for burglary. Upon consideration of the destitute condition of the prisoner's family and the recommendation of the county attorney, sentence was on September 26, 1916, commuted to not less than six months nor more than eighteen months.

Frank Smith—Committed from Cascade County April 19, 1916, for not less than three nor more than five years, for burglary. Smith was suffering from pulmonary tuberculosis in an advanced stage, and on October 30, 1916, sentence was commuted to end on the second day of November, 1916, in order that the prisoner might be taken from the State.

#### CONDITIONAL COMMUTATIONS.

John Flynn—Committed from Fergus County March 3, 1904, for life, for murder in second degree. Flynn's record as a prisoner was excellent and the warden and many citizens of Fergus County recommended clemency. On March 23, 1915, sentence was commuted to twenty years, upon condition that Flynn should forever refrain from the use of intoxicating liquors.

James Miller—Committed from Missoula County May 16, 1914, for five years, for attempt to commit rape. On April 14, 1915, sentence was commuted to eighteen months, upon condition that the prisoner make reparation to the injured girl and refrain from intoxicants.

R. A. Jones—Committed from Hill County March 3, 1913, for nine years, for white slavery. The judge and others interested in the case recommended

clemency, and on May 5, 1915, sentence was commuted to five years, upon condition that Jones remain without the State.

Cornelius Pratt—Committed from Fergus County March 13, 1913, for ten years, for incest. Pratt was about seventy-two years old and in bad health, and was willing to leave the State. There being some doubt as to the old man's guilt, on June 5, 1915, sentence was commuted to two and one-half years, on condition that Pratt should remain without the State.

John Bauer—Committed from Sheridan County February 17, 1914, for seven and one-half years, for assault in first degree. The judge recommended clemency and on August 12, 1915, sentence was commuted to three years, on condition that Bauer refrain from the use of liquor.

Robert West—Committed from Madison County October 18, 1911, for ten years, for assault in first degree. West proved a good prisoner, and on December 4, 1915, sentence was commuted to eight years, on condition that he depart from and remain without the State.

Frank Howard—Committed from Madison County October 18, 1911, for ten years, for burglary. For reasons given in the West case sentence was on December 7, 1915, commuted to eight years, upon conditions similar to those imposed in the West case.

Frank Purcell—Committed from Gallatin County October 27, 1905, for life, for murder in second degree. In consideration of his good record in prison, sentence was on December 7, 1915, commuted to twenty years, upon condition that Purcell upon his discharge should depart from and remain outside the State.

Bartle Hayfield—Committed from Valley County April 6, 1912, for ten years, for burglary. He showed a disposition to reform, and on December 14, 1915, sentence was commuted to five years, upon condition that Hayfield should at once go to his family in Canada and thereafter remain without the State.

Hugh M. Jones—Committed from Cascade County October 16, 1913, for ten years, for incest. Because of the destitute condition of his family, sentence was on January 11, 1916, commuted to four years, upon condition that Jones care for his family and refrain from the use of intoxicants.

John Kinahan—Committed from Dawson County October 13, 1903, for life, for murder in second degree. He was a mere boy when convicted, came of a good family, and had been a good prisoner throughout his term. In order that he might be given a chance to make good, sentence was on January 22, 1916, commuted to twenty-two years, upon condition that Kinahan return to Texas and look after his widowed mother and continue as a law abiding citizen.

Walter Holden—Committed from Cascade County December 18, 1915, for from one to one and one-half years, for grand larceny. Upon recommendation of the judge and county attorney and others, sentence was on February 29, 1916, commuted so as to make the minimum sentence three months, upon condition that Holden should look after and provide for his family.

W. M. Johnson—Committed from Valley County September 22, 1911, for twenty years, for assault in first degree. Upon recommendation of judge and county attorney, sentence was on March 26, 1916, commuted to eight years, upon condition that Johnson do not use intoxicating liquors.

Frank Daems—Committed from Madison County June 17, 1913, for eight years, for grand larceny. Upon recommendation of judge and county attorney, sentence was on March 17, 1916, commuted to five years, upon condition that Daems remain without the County of Madison.

Eli Lumbardi—Committed from Silver Bow County February 8, 1911, for life, for murder in first degree. Upon recommendation of judge, sentence was on May 18, 1916, commuted to eight years, upon condition that Lumbardi be deported to his native country, Russia.

Frank Williams No. 1—Committed from Gallatin County April 20, 1915, for not less than six nor more than ten years, for grand larceny. Williams was in a precarious condition physically, rendering an operation imperative. On June 24, 1916, sentence was commuted to not less than one year nor more than thirteen months, upon condition that Williams be at once taken without the State and remain away therefrom.

## COMMUTATIONS FOR GOOD BEHAVIOR AND INDUSTRY.

On November 20, 1916, commutations were granted to the following prisoners in recognition of their good behavior and faithful work within and without the prison walls, and upon recommendation of the warden:

Thomas McGovern—Committed from Cascade County March 16, 1916, for not less than two years nor more than three years, for grand larceny. Commuted to not less than one year nor more than three years.

Clay White—Committed from Gallatin County August 12, 1916, for not less than one year nor more than five years, for burglary. Commuted to not less than six months nor more than five years.

Troy Noble—Committed from Blaine County December 4, 1915, for not less than five nor more than eight years, for robbery. Commuted to not less than one nor more than eight years.

John R. Smith No. 1—Committed from Gallatin County December 3, 1915, for not less than twenty months nor more than three years, for grand larceny. Commuted to not less than fifteen months nor more than three years.

George Mauch—Committed from Silver Bow County April 22, 1916, for not less than two years nor more than two years and one month, for rape. Commuted to not less than one year nor more than two years and one month.

C. W. Dawe—Committed from Teton County April 3, 1914, for ten years, for manslaughter. Commuted to not less than two and one-half years nor more than ten years.

W. R. Wilson—Committed from Park County July 16, 1915, for not less than three nor more than three and one-half years, for grand larceny. Commuted to not less than one and one-half years nor more than three and one-half years.

J. W. McKay—Committed from Cascade County December 10, 1915, for not less than three nor more than three and one-half years, for grand larceny. Commuted to not less than one and one-half nor more than three and one-half years.

J. W. Miller—Committed from Lewis and Clark County May 22, 1915, for not less than three nor more than fourteen years, for forgery. Commuted to not less than two nor more than fourteen years.

Ernest Guidette—Committed from Richland County October 29, 1915, for not less than three nor more than seven years, for perjury. Commuted to not less than one and one-half nor more than seven years.

George Gondeiro—Committed from Cascade County December 10, 1915, for not less than two nor more than two and one-half years, for obtaining money by fraudulent check. Commuted to not less than one nor more than two and one-half years.

E. C. Abbie—Committed from Park County April 24, 1915, for not less than three nor more than four years, for forgery. Commuted to not less than one and one-half nor more than four years.

Clay Williams—Committed from Beaverhead County November 14, 1914, for five years, for seduction. Commuted to not less than two and one-half nor more than five years.

Jno. D. Shields—Committed from Madison County December 31, 1913, for ten years, for burglary in second degree and prior conviction. Commuted to not less than three nor more than ten years.

Geo. Melville—Committed from Lewis and Clark County November 30, 1907, for twenty years, for murder in second degree. Commuted to not less than nine nor more than twenty years.

Ivan Vojvodich—Committed from Cascade County November 30, 1909, for twenty-five years, for murder in second degree. Commuted to not less than seven nor more than twenty-five years.

John B. Temple—Committed from Rosebud County February 21, 1913, for nine years, for assault in first degree. Commuted to not less than four nor more than nine years.

Geo. W. Ricketts—Committed from Park County August 17, 1912, for ten years, for manslaughter. Commuted to not less than four nor more than ten years.

Jonah Parker—Committed from Hill County March 21, 1915, for five years, for rape. Commuted to not less than two nor more than five years.



William Paisley—Committed from Silver Bow County June 18, 1906, for fifty years, for robbery. Commuted to not less than ten nor more than fifty years.

F. H. Piercy—Committed from Fergus County December 11, 1913, for fourteen years, for forgery. Commuted to not less than three nor more than fourteen years.

William Nuhring—Committed from Sheridan County October 10, 1913, for seven years and six months, for incestuous adultery. Commuted to not less than three and one-half nor more than seven and one-half years.

William Norby—Committed from Broadwater County August 26, 1912, for fifteen years, for murder in second degree. Commuted to not less than four and one-half nor more than fifteen years.

Steve Novota—Committed from Carbon County April 22, 1907, for life, for murder in second degree. Commuted to not less than ten nor more than forty years.

Archie Marlette—Committed from Blaine County October 8, 1912, for ten years for manslaughter. Commuted to not less than four nor more than ten years.

L. L. Lane—Committed from Silver Bow County April 14, 1912, for fifty years, for rape. Commuted to ten years.

Walter Long—Committed from Valley County November 25, 1908, for thirty-five years, for murder in second degree. Commuted to not less than eight nor more than thirty-five years.

George Klaish—Committed from Cascade County February 5, 1915, for five years, for forgery. Commuted to not less than two nor more than five years.

Chas. Knable—Committed from Madison County December 5, 1914, for five years, for assault in second degree. Commuted to not less than two nor more than five years.

Frank Kolar—Committed from Teton County December 6, 1912, for ten years, for attempt to commit crime against nature. Commuted to not less than four nor more than ten years.

Hugo Kuhn—Committed from Flathead County April 18, 1906, for life, for murder in second degree. Commuted to not less than eleven nor more than forty years.

William Jones No. 2—Committed from Teton County July 31, 1912, for ten years, for grand larceny. Commuted to not less than four nor more than ten years.

Aleck Guynn—Committed from Cascade County December 14, 1914, for seven years, for grand larceny. Commuted to not less than two nor more than seven years.

Philip Gavin—Committed from Chouteau County October 2, 1914, for five years, for assault with intent to commit crime against nature. Commuted to not less than two nor more than five years.

John Doe No. 1 (Emilio Miressi)—Committed from Silver Bow County July 19, 1910, for twenty years, for robbery. Commuted to not less than seven nor more than twenty years.

F. W. Carson—Committed from Jefferson County April 30, 1899, for ninety-nine years, for murder in second degree. Commuted to not less than eighteen nor more than ninety-nine years.

William Biggs—Committed from Dawson County April 27, 1911, for fourteen years, for grand larceny. Commuted to not less than five nor more than fourteen years.

George Bennett—Committed from Gallatin County June 6, 1909, for thirty-two years, for grand larceny. Commuted to not less than seven and one-half nor more than thirty-two years.

Ed. Adams—Committed from Madison County May 26, 1915, for fourteen years, for grand larceny. Commuted to not less than two nor more than fourteen years.

Walter Whitworth—Committed from Lewis and Clark County January 31, 1914, for ten years, for manslaughter. Commuted to not less than three nor more than ten years.

Sam A. Hall—Committed from Silver Bow County May 17, 1912, for fourteen years, for grand larceny. Commuted to ten years.

On November 25, 1916, commutations were granted in the following cases, for the reasons given in the cases above cited:

Ralph Mansfield—Committed from Beaverhead County July 7, 1914, for twelve years, for assault in first degree. Commuted to five years.

C. J. Murphy—Committed from Beaverhead County December 23, 1914, for five years, for assault in first degree. Commuted to four years.

George Le Vasseur—Committed from Silver Bow County March 10, 1906, for ninety-nine years, for murder in second degree. Commuted to twenty years.

Leo Hatcher—Committed from Sheridan County July 7, 1916, for not less than two nor more than three years, for rape. Commuted to not less than six months nor more than three years.

#### TRANSFER TO INDUSTRIAL SCHOOL.

Andrew Simonson—Committed from Sheridan County March 28, 1916, for from ten to twenty years, for murder in second degree. Simonson was only fifteen years old, and upon a showing of all the facts, many of which did not appear in the official record, sentence was commuted by substituting therefor the commitment of young Simonson to the State Industrial School during his minority, unless sooner discharged by the authorities of that institution.

#### COUNTY JAIL CASES.

Walter Allen—Convicted of assault in third degree in Dawson County November 18, 1914, and sentenced to six months in county jail. Allen was a sufferer from tuberculosis, and there were many signers to his petition for clemency. On January 16, 1915, his sentence was commuted to eighty days.

Walter E. Lock—Convicted of petty larceny in Cascade County July 2, 1915, and sentenced to four months in county jail. Upon petition of numerous citizens a pardon was granted to Lock on September 18, 1915.

Lester Buchanan—Pleaded guilty to petty larceny in Silver Bow County on February 29, 1916, and sentenced to ninety days in county jail. Upon recommendation of county attorney, sentence was on April 11, 1916, commuted to fifty days in jail.

Gus Meredith—Convicted of assault in third degree in Silver Bow County and sentenced to six months in county jail. Upon recommendation of county attorney, sentence was on May 15, 1916, commuted to three months.

C. A. Williams—Convicted in Silver Bow County March 22, 1916, of gambling and sentenced to six months in county jail and to pay a fine of \$750.00. On July 7, 1916, sentence was commuted to end immediately, upon condition that Williams should leave the State and forever remain without its borders. The fine imposed upon Williams was not affected by this order.

Tom Connors—Sentenced to six months in the county jail of Powell County. The papers submitted showed that a mistake was made in the case, and on August 14, 1916, sentence was commuted to ninety days.

On motion of Higgins, the communications of the Governor were received and placed on file to be referred to the proper standing committees when appointed.

The following communications were received from the Senate:

Helena, Montana, January 2, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion duly seconded and adopted, the Rules of the Fourteenth Legislative Assembly were adopted as the temporary rules of the Senate; also

On motion duly seconded and adopted, the Committee on Committees was requested to appoint a Committee of three to act with a like Committee of the House to select an Assistant Postmaster. The following Committee was appointed: Senators Stevens, Haley and Burla.

Very respectfully,

J. F. CONE, Secretary of the Senate.

Motion by McMahon that Clerk of House be authorized to notify Senate that postoffice is under Federal control and that there is no need of extra assistants at this time.

Helena, Montana, January 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Edwards, which was adopted, the President appointed a Committee of three to notify His Excellency, the Governor, that the Senate was duly organized and ready for business, and the following Senators were appointed: Edwards, Fishbeck and Muffy.

And on motion, which was adopted, the President was authorized to appoint a Committee of three to notify the House that the Senate was duly organized and ready for business, and the following Senators were appointed: Annin, Mershon and Hogan.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 1, 1917. -

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate was duly organized on the first day of January, 1917, by the election of Senator J. E. Edwards as President Pro Tem and the selection of the following officers and attaches:

Secretary, J. F. Cone; Asst. Secretary, T. S. Garlow; Stenographer to Secretary, Fay Alderson; Sergeant-at-Arms, James W. Rhoades; Asst. Sergeant-at-Arms, Louis J. Goodman; Asst. Sergeant-at-Arms, Emil Blomquist; Clerk, Andrew Tweedie; Clerk, Carl Price; Journal Clerk, Mabel Davis; Asst. Journal Clerk, Minnie Senecal; Engrossing Clerk, Grace Catlin; Asst. Engrossing Clerk, Mrs. Sarah G. Morse; Enrolling Clerk, Mrs. Supple; Asst. Enrolling Clerk, Nellie Stubblefield; Printing Clerk, B. H. Kries; Asst. Printing Clerk, Emil Brolin; Bill Clerk, Alice Teagarden; Reading Clerk, L. W. Katzenstein; Chaplain, F. E. Dodds; Doorkeeper, C. E. Truscott; Asst. Doorkeeper, John Duffy; Clerk, Julius Listoe; Clerk, Guy Cameron; Day Watchman, E. D. Cole; Clerk, Martin Carroll; Night Watchman, O. P. Walters; Clerk, J. W. Counter; Secretary to President, T. H. Jennings; Clerk of Judiciary Committee, Mildred Dickinson, Proofreader, Luella Watson; Janitor, J. M. Barnhart; Stenographers, Kittie Short, Lelia Moore, Lillis Dixon, Mrs. Riddle, Cady Potter, Alice E. Pfiffner; Pages, Harold Oliver, Sam Potter, Bruce McKay, Edwin Winkie.

The following Committees were named:

Committee on Employees—Chas. H. Williams, Geo. McCone, C. B. Roberts.

Committee on Committees—T. O. Larson, J. E. Kinney, L. B. Taylor.

Respectfully yours,

J. F. CONE, Secretary of the Senate.

Mr. Speaker appointed Griffin, Davis, Page and Seknan as additional members on Committee on Employees.

McMahon, Lemmon and Fishbaugh were granted unanimous consent to introduce House Bills Nos. 1, 2 and 3, respectively, without previous notice.

H. B. No. 1, introduced by McMahon: A Bill for an Act entitled, "An Act to appropriate money for the payment of mileage and per diem of the members of the Fifteenth Legislative Assembly of the State of Montana." Read first and second time at length.

H. B. No. 2, introduced by Lemmon: A Bill for an Act entitled, "An Act to appropriate money for the payment of the per diem of the officers and attaches of the Fifteenth Legislative Assembly." Read first and second time at length.

H. B. No. 3, introduced by Fishbaugh: A Bill for an Act entitled, "An Act making an appropriation of money for the incidental expenses of the Fifteenth Legislative Assembly of the State of Montana." Read first and second time at length.

On motion of Blake, House Bills Nos. 1, 2 and 3 were requested to be referred to the Appropriation Committee when appointed by the Speaker.

On motion, House reverted to the Second Order of Business.

#### NOTICE OF BILLS.

By Baldwin: A Bill for an Act entitled, "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article 12 of the Constitution of the State of Montana, providing that evidence of debt shall be exempt from taxation."

On motion of McMahon, House adjourned until 11:00 A. M. Thursday, January 4, 1917.

J. F. O'CONNOR, Speaker.  
C. H. TREACY, Chief Clerk.

## FOURTH DAY

Thursday, January 4, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present except Clark, Cotter, Farmer, Husser; Eliel absent.

On motion of Murray, duly seconded, the Journal of yesterday was considered as read and approved.

The following communication from the Grand Army of the Republic was read:

Helena, Montana, January 5, 1917.

To the Honorable Members of the House of Representatives of the Fifteenth Assembly.

Gentlemen: A cordial invitation is extended to the Sons of Veterans, the United Spanish War Veterans, compatriots of the National Patriotic Instructors and other members, to meet with Wadsworth Post, Grand Army of the Republic, at their joint installation in Cruise hall, No. 32 South Main street, January 5th, 8 P. M.

Sincerely and truly yours,

JOHN A. SCHMITT, Commander.

GEO. H. TAYLOR, Adjutant.

This also includes every comrade of the Grand Army of the Republic or any other Civil War Veteran who is a member of the House or Senate.

F. I. REICHE,

Department Commander of Montana, Grand Army of the Republic.

## NOTICES OF BILLS.

By Page: A Bill for an Act entitled, "An Act to provide for the payment of wages of employees and to provide penalties for violations thereof."

By Bernard: A Bill for an Act entitled, "An Act providing for the breeding of game birds, game quadrupeds, fur bearing animals; providing for licensing game breeding and for sale of game stock, etc."

By Bernard: A Bill for an Act entitled, "An Act to amend Section 46 of the Revised Codes of 1907, relating to ballots and voting, and providing for the furnishing of official ballots and sample ballots by county clerks at general elections held in the State."

By Bernard: A Bill for an Act entitled, "An Act to amend Section 112 of the Political Codes of the State of Montana, relating to representatives from the several counties of the State."

By Bernard: A Bill for an Act to amend Section 1288 of the Revised Codes, relating to the commandant, rules, salaries, officers of the Montana Soldiers' Home.

By Bernard: A memorial memorializing the Congress of the United States to make an appropriation for the improving of the outlet of Flathead Lake for the purpose of relieving and abating flood conditions during the high water periods.

By Bernard: A Bill for an Act to amend Section 2024 of the Revised Codes, relating to the measurement of hay in stack.

By Rasmussen: A Bill for an Act entitled, "An Act to amend Section 20 of the Act initiated and passed by the people of Montana at the general election of November, 1912, entitled, 'A Bill to propose by initiative petition a law to provide for party nominations by direct vote.'"



By Phelps: A Bill for an Act entitled, "An Act to provide for the creation of herd districts; prescribing the manner of the creation thereof and prohibiting the running of livestock at large therein, and providing a penalty for the violation of same."

By Harbert: A Bill relating to authorizing the State Land Board to lease certain lands bordering Flathead Lake for railroads and other specific purposes.

By Harbert: A Bill to take in residential contiguous districts into city limits.

By Harbert: A Bill relating to assessors and Board of Equalization assessing full cash value and providing penalties for its violation.

By Harbert: A Bill relating to amending the primary law, making same more operative, less expensive and less cumbersome.

By Harbert: A Bill relating to Torrens land system of titles.

By Harbert: A joint resolution memorializing Congress to stock the National Bison Range in Missoula County with reindeer.

By Harbert: A Joint Resolution memorializing Congress to appropriate one million dollars for work on the Flathead project during the ensuing year.

By Harbert: A Joint Resolution memorializing Congress to appropriate ten thousand dollars to dredge Polson harbor.

By Harbert: A Joint Resolution memorializing Congress to pass water power legislation at this session of the Congress that will enable the government to lease the power sites now in the hands of the government to private legitimate enterprises under proper restrictions and safeguards to the people.

By Harbert: A Bill relating to reducing salaries of Commissioners of cities of certain classes.

By Harbert: A Bill relating to commission form of government for counties.

By Harbert: A Bill relating to taking the schools and judiciary out of politics.

By Harbert: A Bill relating to regulating the hours of saloons and places where liquors are sold.

By Stimpert: A Bill for an Act entitled, "An Act relating to bridges within any city or town upon a highway crossing a natural stream separating one part from another part of any county in which such city or town is situated and providing for the construction and maintenance of such bridges and their approaches."

By Murray: A Bill for an Act entitled, "An Act regulating and limiting the hours of employment for female employees, and governing the conditions under which female employees shall work in certain industries and providing penalties for violation thereof."

By Gould: A Bill for an Act entitled, "An Act regulating and limiting the hours of employment for female employees; governing the conditions under which female employees shall work; providing penalties for violation thereof; and repealing Chapter 108 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, entitled, 'An Act regulating and limiting the hours of employment for female employees and governing the conditions under which female employees shall work in certain industries, and providing penalties for violation thereof.' Approved March 15, 1913."

#### REPORTS OF STANDING COMMITTEES.

Helena, Montana, January 2, 1917.

Mr. Speaker: We, your Committee on House Employees, having had under consideration the proposal of Mr. W. J. Walsh, recommend that the same be indefinitely postponed.

(Signed) J. J. FLANIGAN, Chairman.

On motion by Searles, the report of the Committee was unanimously adopted.

Helena, Montana, January 3, 1917.

Mr. Speaker: We, your Committee on House Employees, beg leave to report we have named the following employees: Richard Dwyer, Asst. Bill Clerk; R. C. Marks, Asst. Printing Clerk; J. L. Seawell, Proofreader; H. H. Rogan, Day Watchman; Frank A. Biglow, Sergeant-at-Arms Clerk; John Monahan, Stamp Clerk; R. E. Haislop, Cloak Room Attendant; Geo. Murray, Asst. Cloak Room Attendant; Wm. O'Connell, Asst. Janitor; Lee Woods, Asst. Janitor; Geo. Chap-

lain, Asst. Janitor; Helen Wilson, Asst. Enrolling Clerk; Miss Elizabeth Trischman, Stenographer; Miss Bessie Little, Stenographer; Miss Lillian M. Sullivan, Stenographer.

Searles moved that the report of the Committee be adopted as read.

Mr. Higgins offered the following substitute motion:

Mr. Speaker: As a substitute motion, I move that the following names be stricken from the report of the Committee on House Employees: J. L. Seawell, H. H. Rogan, Frank A. Biglow, John Monahan, Geo. Murray, Wm. O'Connell, Lee Woods, Geo. Chapman.

Substitute motion carried.

Mr. Blake: I desire to move at this time that the report of the Committee on House Employees, as amended, be referred to the Committee on House Employees. Motion carried.

On motion of Mr. Blake, seconded by Higgins, the roll was called on the question, and the vote stood as follows:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Dodds, Eaton, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Huffaker, Ingalls, Jensen, Johnston, Johnston, Jones, Kelsey, Kemmis, Lanstrum, Lewis, Lusk, McClory, McDonald, McQuarrie, Middleton, Phelps, Quaintance, Rasmussen, Scott, Stimpert, White, Working—48.

Noes: Andrew, Ashby, Ball, Blodgett, Bent, Carll, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Duffy, Fishbaugh, Flanigan, Grimes, Hawks, Hurd, Husser, Ironsides, Kehoe, Larse, McMahon, McMillan, Mason, Morris, Morrow, Murray, O'Brien, Page, Prosser, Rainey, Sands, Searles, Sektnan, Shaw, Spain, Ward, Weil, Wheat, Mr. Speaker—42.

Absent and not voting: Cotter, Eliel, Farmer, Holt—4.

Murray: I move that the motion by which House Bills Nos. 1, 2 and 3 were referred to Committee on Appropriations, when that Committee shall be appointed, shall be reconsidered. Motion carried.

Crismas: I move that a Special Committee, consisting of five members of the House, be appointed by the Chair, to consider and report upon House Bills Nos. 1, 2 and 3. Motion carried.

Higgins: I move that at this time the Chief Clerk be given authority to rent sufficient typewriters to comply with the demands of the House. Motion carried.

On motion of Higgins, duly seconded, Representative McClory was granted leave of absence for over Friday.

Lemmon: I move that a Select Committee of three be appointed to look into the matter of the cost of obtaining printed copies of the proceedings of the House. Motion carried.

Higgins: I move that the Chief Clerk be instructed to call upon the Secretary of State to furnish this Assembly with blue print copies of the seating arrangement of this House. Motion carried.

Blake: I move that the Chief Clerk of the House be instructed to communicate with the House Committee of the Montana Club, thanking them for their courtesy in granting the privileges of the club to the members of the House for a period of sixty days, and accepting the invitation. Motion carried.

Blake: I move that the Chief Clerk be instructed to communicate with the Grand Army of the Republic, extending thanks for the invitation tendered to the members of the House of Representatives. Motion carried.

The following House Resolution No. 1 was read and on motion of Kemmis the same was adopted:

Pertaining to the financial conditions of the State as embraced in the Governor's message, directed to His Excellency, the Governor, S. V. Stewart.

#### RESOLUTION.

WHEREAS, The financial conditions of the State are in bad condition and the reports of the State officers show a deficit from last fiscal period; and

WHEREAS, It was pointed out to us by the Governor that there has been

needless extravagances in the past, and that various Boards and Bureaus could be consolidated, tending towards a more efficient and more economical administration of our State affairs; and

WHEREAS, The Honorable S. V. Stewart has been the chief executive of the State of Montana for the past four years and should have an intimate acquaintance and exact knowledge of our various State departments, and should know specifically what Boards are unnecessary and what Boards may be consolidated, and

WHEREAS, It is the intention of the Lower House of the Fifteenth Legislative Assembly to fulfill the functions of its body in as efficient and as practicable and as economical a manner as possible, and in order that this may be done, this body should have the advantage of the knowledge of our State affairs possessed by the Governor; and as the Governor has challenged our attention to the fact that the affairs of the State are not being conducted in as business-a-like manner as good sense and good judgment should dictate, and in order to carry out the recommendations in the Governor's message, it should be necessary for this body to be minutely informed on our affairs of State and to know wherein we may pass legislation toward economy and efficiency;

THEREFORE, BE IT RESOLVED, That the Chief Clerk be instructed to transmit to the Governor the following communication from the House:

To His Excellency, the Governor of Montana, the Honorable Sam V. Stewart:

The Lower House of the Fifteenth Legislative Assembly wishes to express the thanks of the members for your message and to guarantee its good faith in the fulfillment of the recommendations toward economy and efficiency therein contained; however, in order to carry out the recommendations for the consolidation and elimination of the various boards and officers, the House will of necessity require further, additional and more specific information concerning the details of our State affairs.

In addition, it respectfully requests that you submit a complete plan for the reformation of our State departments as you wish the same to be accomplished, and respectfully asks that you advise us in detail what your wishes are, and how we may actually proceed so that we may do away with unnecessary expense and more thoroughly reform our State government.

We feel that the experience you have had and the knowledge that you have gained as chief executive of the State of Montana for the past four years places you in better position to furnish these details than the members of the House, and in order that we may comply with your wishes and respond to the demand for economy by the people of this State, we trust that you will, as expeditiously as possible, furnish this desired information.

Respectfully yours,

THE LOWER HOUSE OF THE FIFTEENTH LEGISLATIVE ASSEMBLY.

By C. H. TREACY, Chief Clerk.

The Speaker appointed the following Special Committees:

Special Committee on Appropriations: Crismas, Higgins, Murray, Belden and Rainey.

Committee on Printing and Proceedings: Demel, Henry and Weil.

On motion of Higgins, duly seconded, the Special Committee on Appropriations was granted permission to absent themselves from the House to consider appropriation Bills.

On motion of McMahon, duly seconded and approved, the Speaker appointed the following Committee on Mileage and Per Diem: Anderson of Fergus, Andrew of Silver Bow, Johnson of Deer Lodge.

On motion of Lemmon, duly seconded and approved, the House recessed until 12:30.

House resumed, 12:30 P. M.

Mr. Speaker in the Chair.

The following communications were received from the Senate:

Helena, Montana, January 3, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of the introduction of Bills have this day been given:

By Edwards: A Bill for an Act to provide for the issuance by the State of Montana of official bonds for all public officials, elective and appointive, of the State and of each and every political subdivision thereof; to provide for the creation of a State Board of Official Bonds; to provide for the duties of public officers in connection therewith; to provide for the payment of premiums on such official bonds and for the adjustment and settlement of liabilities incurred thereby; and to prevent any other manner of bonding public officials.

By O'Shea: An Act entitled, "An Act to provide for State insurance of all public buildings and contents; to provide for the valuation thereof; to provide for the duties of public officers in connection therewith; to provide for the levying of assessment premiums, and for the payment of losses; to prevent any other manner of insuring public property; and to provide penalties for the violation of this Act."

By Brower: A Bill for an Act to provide for a maximum rate of interest; providing a penalty for violation thereof, and repealing Chapter 36 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, entitled, "An Act to provide for the maximum rate of interest on loans of money, providing a penalty for violation thereof; and to amend Section 5212, Revised Codes of 1907, approved February 27, 1913."

By Hogan: An Act to provide for a Constitutional convention for the purpose of revising the Constitution of the State of Montana.

By Morris and O'Shea: An Act to provide for the creation of a State Board of Hail Insurance; to provide for the duties of said Board and of public officers in connection therewith; to provide for the levying and collection of taxes optional with each taxpayer on all agricultural crops subject to destruction by hail; and for the appraisement of losses to such crops by hail and the payment therefor; and providing penalties for the violation of this Act.

Respectfully,

J. F. CONE, Secretary of the Senate.

Helena, Montana, January 3, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senators were this day elected to the Committee on Mileage: Clark, Arnold, Mershon.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Crismas the House reverted to Third Order of Business, Select Committees.

The Special Appropriation Committee made the following reports:

Helena, Montana, January 4, 1917.

Mr. Speaker: Your Special Committee on Appropriations, to whom was referred H. B. No. 1, introduced by McMahon, being a Bill for an Act entitled, "An Act to appropriate money for the payment of mileage and per diem of the members of the Fifteenth Legislative Assembly of the State of Montana," beg leave to report back to the House with the recommendation that the Bill do pass.

(Signed) CRISMAS, Chairman.

Helena, Montana, January 4, 1917.

Mr. Speaker: Your Special Committee on Appropriations, to whom was referred H. B. No. 2, introduced by Lemmon, being a Bill for an Act entitled, "An Act to appropriate money for the payment of the per diem of the officers and attaches of the Fifteenth Legislative Assembly of the State of Montana," beg leave to report back to the House with the recommendation that the Bill do pass.

(Signed) CRISMAS, Chairman.

Helena, Montana, January 4, 1917.

Mr. Speaker: Your Special Committee on Appropriations, to whom was referred H. B. No. 3, introduced by Fishbaugh, being a Bill for an Act entitled, "An Act making an appropriation of money for the incidental expenses of the Fifteenth Legislative Assembly of the State of Montana," beg leave to report back to the House with the recommendation that the Bill do pass.

(Signed) CRISMAS, Chairman.

On motion the reports of the Appropriation Committee were adopted.

On motion of Higgins the House reverted to the Sixth Order of Business. Motions and Resolutions.



On motion, House Bills Nos. 1, 2 and 3 were referred to the Printing Committee, considered printed and placed on General Orders.

On motion of Higgins the House resolved itself into a Committee of the Whole for the consideration of House Bills Nos. 1, 2 and 3.

McMahon in the Chair.

House resumed.

Mr. Speaker in the Chair.

McMahon of the Committee of the Whole reported as follows:

We, your Committee of the Whole, having had under consideration House Bills Nos. 1, 2 and 3, report the same back to the House with the recommendation that the same do pass.

On motion of McMahon, the report was adopted.

House Bills Nos. 1, 2 and 3 were referred to the Engrossing Committee.

On motion of Higgins, the House reverted to Sixth Order of Business, Motions and Resolutions.

On motion of Higgins, House Bills Nos. 1, 2 and 3 were considered engrossed and placed on file for third reading.

On motion of Higgins, the House reverted to the Ninth Order of Business, Third Reading of House Bills.

H. B. No. 1, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson, Johnston, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—89.

Noes: None.

Absent and not voting: Eliel, Farmer, Flanigan, Holt, Jones—5.

H. B. No. 2, having been read three several times, title agreed to, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Doods, Duffy, Eaton, Fishbaugh, Flanigan, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson, Johnston, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—92.

Noes: None.

Absent and not voting: Eliel, Farmer, Holt—3.

House Bill No. 3, having been read three several times, title agreed to, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Henderson, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson, Johnston, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McQuarrie, McDonald, McMahon, McMillan, McClory, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser,

Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—92.

Noes: None.

Absent and not voting: Eliel, Farmer, Flanigan—3.

On motion of Blake, the House reverted to the Sixth Order of Business.

#### MOTIONS AND RESOLUTIONS.

Blake: I move that the report of the Committee on House Employees as amended on motion of the gentleman from Missoula, be withdrawn from the said Committee to whom it was referred on motion of myself, and that the amended report be placed before the House for consideration.

The motion was lost by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Baldwin, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Cotter, Dodds, Eaton, Fuller, Griffin, Gullidge, Harbert, Harmon, Henderson, Henry, Higgins, Huffaker, Ingalls, Jensen, Johnson, Johnston, Jones, Kelsey, Kemmis, Lanstrum, Lewis, Lusk, McClory, McDonald, McQuarrie, Middleton, Phelps, Quaintance, Rasmussen, Scott, Working—44.

Noes: Andersen (Charles), Andrew, Ashby, Ball, Bent, Blodgett, Carll, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Duffy, Fishbaugh, Flanigan, Gould, Grimes, Hathaway, Hawks, Hurd, Husser, Ironside, Kehoe, Larse, Lemmon, McMahon, McMillan, Mason, Morrow, Morris, Murray, O'Brien, Page, Prosser, Rainey, Sand, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Wheat, White, Mr. Speaker—47.

Absent and not voting: Eliel, Farmer, Holt, Weil—4.

On motion of Lemmon, the House reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

On motion of McMahon, the report of the House Employees Committee, previously presented to the House, was withdrawn.

The Committee on House Employees made the following report:

Mr. Speaker: We, your Committee on House Employees, beg leave to report we have named the following employees:

Richard Dwyer, Assistant Bill Clerk; R. C. Marks, Assistant Printing Clerk; J. L. Seawell, Proofreader; H. H. Rogan, Day Watchman; Frank A. Biglow, Sergeant-at-Arms Clerk; John Monahan, Stamp Clerk; R. E. Haislop, Cloak Room Attendant; Geo. M. Murray, Assistant Cloak Room Attendant; Wm. O'Connell, Assistant Janitor; Lee Woods, Assistant Janitor; Geo. Chapman, Assistant Janitor; Miss Elizabeth Trischman, Stenographer; Miss Bessie Little, Stenographer; Miss Lillian Sullivan, Stenographer; Miss Martha Fazel, Stenographer; Miss Wilson, Stenographer; Miss Gertrude Sloan, Stenographer; Miss Breidenbach, Stenographer; B. H. Rae, Stenographer; Ray M. Van Houten, Stenographer; Miss Teresa Connell, Stenographer; Miss Gertrude Ashby, Stenographer; Miss M. R. Salisbury, Stenographer; Miss Eva Donnell, Stenographer; Miss Katherine Brooks, Stenographer; Miss Culbertson, Stenographer.

Searles moved the adoption of the report and Higgins made the substitute motion that the report be laid on the table.

Higgins' substitute motion lost by a standing vote of 42 to 49, and the report of the Committee on Employees was adopted.

On motion of Lemmon, the House adjourned until 11:00 A. M. Friday, January 5, 1917.

J. F. O'CONNOR, Speaker.  
C. H. TREACY, Chief Clerk.

## FIFTH DAY

Friday, January 5, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All present except Farmer, McClory, McDonald; Eliel absent.

Minutes of previous session read, on motion amended, and as amended approved.

On motion of Blake, duly seconded, that part of the Journal as to notices was considered read and approved.

On motion of Blake, duly seconded and approved, that portion of the Journal pertaining to the resolution with reference to the Governor's message was considered as read.

On motion of Belden, that part of the Journal with reference to communications from the Senate was considered as read.

## NOTICES OF BILLS.

By Husser: A Bill for an Act entitled, "An Act to provide for a State-Hail Insurance Fund to protect the farmers from loss by hail and to provide the manner of raising said fund, and of adjusting losses coming under this Act."

By Spain: A Bill for an Act entitled, "An Act to simplify the manner of voting for presidential electors and providing that one cross mark shall indicate a vote for all candidates for presidential elector of a political party."

By Andersen: A Bill for an Act entitled, "An Act to amend Section 9, Chapter 73, of the Laws of the Thirteenth Legislative Assembly of the State of Montana, entitled, 'An Act for the registration, identification and regulation of motor vehicles operated and driven upon the public roads and highways of this State,' by inserting the word 'inconsistent' after the word 'resolution' in the third line of said Section."

By Stimpert: A Bill for an Act entitled, "An Act creating and dividing the State of Montana into Congressional Districts and designating the counties of the State of Montana which shall be included in and shall comprise each of said districts."

By Stimpert: A Bill for an Act entitled, "An Act to provide for dividing counties into County Commissioner Districts, providing for one County Commissioner from each district, and amending Sections 2881 and 2882 of the Revised Codes of Montana of 1907."

By Stimpert: A Bill for an Act entitled, "An Act establishing the Board of Hail Commissioners for the State of Montana and prescribing its duties and powers."

By Stimpert: A Bill for an Act entitled, "An Act to authorize the State of Montana to become indebted in the sum of.....dollars for the issuance of bonds in the name of the State of Montana for the acquiring, building, leasing, holding, improving and using buildings, building sites and the necessary appurtenances to be used as and for terminal elevators for the storage and marketing of grain at grain marketing centers, prescribing the duties and powers of the State Board of Examiners in regard thereto, providing for the submission of the question of the issuance of such bonds to the qualified electors of the State of Montana at the next general election and further providing for the levying of a tax to pay the principal and interest on said bonds."

By Mason: A Bill for an Act entitled, "An Act creating a Code Commission and authorizing the Governor to appoint a competent and qualified person with full power and authority to compile and revise the Political Code, the Code of Civil Procedure and the Penal Code of the State of Montana, the General Statutes passed by the Eleventh, Twelfth, Thirteenth and Fourteenth regular sessions of the Legislative Assembly of the State of Montana, and all other Acts and parts of Acts which are not repealed by any of the two Codes or by any of the Session Laws, or adjudged unconstitutional by the Supreme Court of the State of Montana."

By Ingalls: A Bill for an Act entitled, "An Act to establish a State School for Girls, prescribing its objects and purposes; providing for its location, site, buildings and improvements, maintenance and management; prescribing commitments thereto, appeals, commutations, paroles and discharges, laws for fugitives, aiding escapes and penalties therefor; providing for materials, supplies and appropriations for all of said purposes; also for empowering the State Board of Land Commissioners to lease either land or buildings, or both, for the same."

By Hathaway: A Bill for an Act entitled, "An Act to provide for women attendants to supervise and care for all women and girls held in confinement or custody in the State of Montana."

By Hathaway: A Bill for an Act entitled, "An Act to amend the law relating to County Superintendents of Schools."

By Hathaway: A Bill for an Act entitled, "An Act to provide for an income tax to be placed to the credit of public school funds."

By Bent: A Bill for an Act entitled, "An Act regulating and limiting the hours of employment for female employees, and governing the conditions under which female employees shall work in certain industries, and providing penalties for violation thereof."

By Jensen: A Bill for an Act entitled, "An Act relating to the levying of a tax in cities having less than 50,000 population for the purpose of creating a municipal band fund, and providing for the election for this purpose."

By Mason: A Bill for an Act entitled, "An Act to amend Sections 8871, 8872, 8873 and 8874 of Part I, Title XVI, Chapter II, of the Revised Codes of Montana, 1907, being an Act approved March 18th, 1895, relating to noxious weeds and providing a method for the destruction of same and fixing the responsibility thereto, and to add to said Act Sections 8874 A, 8874 B, 8874 C, 8874 D, 8874 E and 8874 F."

By Mason: A Bill for an Act entitled, "An Act to provide for a maximum rate of interest on loans of money, providing a penalty for violation thereof; and to repeal Sections 1, 2, 3 and 4 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, and repealing Section 5212 of the Revised Codes of 1907, and the amendment thereto of Chapter 35, Section 5212, of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana."

#### INTRODUCTION OF BILLS AND MEMORIALS.

The following Bills were introduced, read first and second time, and placed on file:

H. B. No. 4, introduced by Murray: A Bill for an Act entitled, "An Act regulating and limiting the hours of employment for female employees, and governing the conditions under which female employees shall work in certain industries, and providing penalties for violation thereof."

H. B. No. 5, introduced by Adam Stimpert: A Bill for an Act entitled, "An Act relating to bridges within any city or town upon a highway crossing a natural stream separating one part from another part of any county in which such city or town is situated and providing for the construction and maintenance of such bridges and their approaches."

H. B. No. 6, introduced by Page: A Bill for an Act entitled, "An Act to provide for the payment of wages of employees and to provide for penalties for violations thereof."

H. B. No. 7, introduced by Bernard: A Bill for an Act entitled, "An Act to encourage the breeding of game birds or fur bearing animals, providing for licensing game breeders and for sale of game stock, etc."

H. B. No. 8, introduced by Rasmussen: A Bill for an Act entitled, "An Act to amend Section 20 of the Act initiated and passed by the people of Montana at the general election of November, 1912, entitled, 'A Bill to propose by initiative petition a law to provide for party nominations by direct vote.'"

On motion of Demel, the House reverted to Third Order of Business.

#### REPORTS OF SELECT COMMITTEES.

The following report of the Special Committee on Printing of Proceedings was read, and on motion of Demel, duly seconded, the report was adopted:



January 5, 1917.

Mr. Speaker: We, your Special Committee appointed for the purpose of ascertaining the cost of the printing of the House Journal, beg leave to report that we have, pursuant to your instructions, visited the Helena Independent, Record-Herald, State Publishing Company and Mr. C. Z. Pond for bids covering the said printing, and find that the bid of Mr. C. Z. Pond for 300 copies at twelve hundred and ninety-five (\$1295.00) dollars, to be the most satisfactory. And we recommend that the contract be awarded to Mr. Pond; it being understood that the printed Journal is to apply in every respect as to the sample shown, which was compiled by Robert Rose for the Thirteenth Legislative Assembly.

(Signed) C. W. DEMEL, Chairman.

On motion of Anderson, House reverted to Fourth Order of Business.

## REPORTS OF STANDING COMMITTEES.

The following report of the Committee on Mileage and Per Diem was, on motion duly seconded, considered read and referred to the Committee on Appropriations, when that Committee should be appointed:

Mr. Speaker: We, your Committee on Mileage and Per Diem of the Members of the House of the Fifteenth Legislative Assembly, beg leave to submit the following report, and recommend that the same be adopted.

Respectfully submitted.

(Signed) CHARLES ANDERSEN, Chairman.

Name.	Residence.	Distance Traveled.	By Stage.
Andersen, Chas.,	Lewistown .....	418	
Anderson, Oscar W.,	Winnifred .....	504	
Andrew, John T.,	Butte .....	146	
Arneson, A. H.,	Big Timber .....	314	
Ashby, Shirley C.,	Helena .....		
Baldwin, C. J.,	Bridger .....	504	
Ball, Leonard,	Butte .....	146	
Baxter, E. C.,	Two Dot .....	268	
Belden, O. W.,	Lewistown .....	418	
Bent, Wallace A.,	Bridger .....	538	
Bernard, P. N.,	Kalispell .....	714	
Blake, Harold N.,	Anaconda .....	198	
Blodgett, F. E.,	Butte .....	146	
Booth, George T.,	Great Falls .....	196	
Brooks, Joseph,	Livingston .....	244	
Buell, Henry M.,	Missoula .....	240	
Buell, Hiram S.,	Bozeman .....	196	
Buchanan, Frank,	Hesper .....	500	
Burnworth, C. H.,	Forsyth .....	682	
Carll, Frank,	Billings .....	478	
Clark, S. W.,	Geraldine .....	322	
Connolly, Jas. J.,	Butte .....	146	
Cotter, C. P.,	Townsend .....	66	
Crismas, W. J.,	Joliet .....	482	
Crowley, Tim,	Butte .....	146	
Davis, C. C.,	Conrad .....	334	
Deibel, R.,	Miles City .....	770	
Demel, C. W.,	Billings .....	478	
Dodds, Percy F.,	Whitefish .....	710	
Duffy, Joe H.,	Butte .....	146	
Eaton, Ernest T.,	Billings .....	478	
Eliel, Frank,	Dillon .....	284	
Farmer, F. W.,	Great Falls .....	196	
Fishbaugh, L. M.,	Carter .....	254	
Flanigan, J. J.,	Butte .....	146	
Fuller, N. H.,	Miles City .....	770	
Gould, M. S.,	Twin Bridges .....	262	

Name.	Residence.	Distance Traveled.	By Stage.
Griffin, James, Chinook .....		514	
Grimes, Thos. W., Butte .....		146	
Gullidge, A. O., Ferry .....		850	
Harbert, James, Polson .....		378	70
Harmon, W. E., Bozeman .....		196	
Hathaway, Maggie S., Stevensville .....		394	
Hawks, James A., Wibaux .....		990	
Henderson, W. C., Miles City .....		970	200
Henry, V. W., South Butte .....		358	13
Higgins, Ronald, Missoula .....		240	
Holt, C. F., Great Falls .....		196	
Huffaker, Geo. W., Helena .....			
Hurd, Walter L., Columbus .....		398	
Husser, Arthur A., Hingham .....		498	
Ingalls, Mrs. E. A., Kalispell .....		714	
Ironside, F. A., Butte .....		146	
Jensen, S. R., Great Falls .....		196	
Johnson, Edward C., Anaconda .....		198	
Johnston, W. B., Hamilton .....		348	
Jones, Dudley, Dodson .....		582	
Kehoe, Thos. M., Billings .....		478	
Kelsey, Frank T., Miles City .....		894	124
Kemmis, Walter D., Sidney .....		1044	
Lanstrum, G. W., Helena .....			
Larse, Geo. W., Plains .....		394	
Lemmon, C. A., Anaconda .....		198	
Lewis, V. E., Fort Benton .....		286	
Lusk, Addison K., Ravalli .....		324	5
McClory, John S., Shelby .....		400	
McDonald, C. A., Choteau .....		330	12
McMahon, W. J., Butte .....		146	
McMillan, R. O., Bainville .....		982	
McQuarrie, D. L., Missoula .....		240	
Mason, Dwight M., Ronan .....		798	50
Middleton, John R., Hysham .....		616	
Morris, Richard E., Baker .....		996	20
Morrow, J. A., Ryegate .....		646	
Murray, Frank C., Great Falls .....		196	
O'Brien, John, Butte .....		146	
O'Connor, James E., Livingston .....		246	
Page, John R., Drummond .....		152	5
Phelps, T. T., Baylor .....		840	90
Prosser, Martin, Helena .....			
Quaintance, Cary, Boulder .....		72	
Rainey, John, Lindsay .....		982	48
Rasmussen, C. A., Glendive .....		932	
Sand, A. U., Opheim .....		860	
Scott, W. J., Hardin .....		594	
Searles, Chas. A., Alberton .....		302	
Sektnan, M., Glasgow .....		564	15
Shaw, John A., Deer Lodge .....		124	
Spain, Wm. W., Belgrade .....		176	
Stimpert, Adam, Great Falls .....		196	
Ward, John M., Butte .....		146	
Weil, Chas. A., Eureka .....		810	
Wheat, Gilbert G., Virginia City .....		324	22
White, B. C., Buffalo .....		414	
Working, Lincoln, Helena .....			

(Signed) CHARLES ANDERSEN, Chairman.

The House continued under Fifth Order of Business.

### INTRODUCTION OF BILLS AND MEMORIALS.

The following House Joint Resolutions were introduced, read first time by title only, second time at length, and placed on file:

H. J. R. No. 1, by Harbert: "A Resolution memorializing Congress for an appropriation of one million dollars for the Flathead irrigation project for the ensuing year."

H. J. R. No. 2, by Harbert: "A Resolution memorializing Congress for the passage of hydro-electric power legislation that will enable the government to lease power sites to private legitimate enterprises under proper rules and regulations."

The following House Joint Memorial was introduced, read first time by title only, second time at length, and placed on file:

H. J. M. No. 1, by Bernard: "Memorializing the Congress of the United States to make an appropriation for the improving of the outlet of Flathead Lake for the purpose of relieving and abating flood conditions during high water periods."

### MOTIONS AND RESOLUTIONS.

On motion of Higgins, the report of the Committee on Mileage and Per Diem was withdrawn from the Committee on Appropriations.

On motion of McMahon, the report of the Committee on Mileage and Per Diem was adopted and the Clerk was instructed to transmit a certified copy to the State Auditor.

Higgins: I move that the Chair appoint a Committee of three to act with a like Committee of the Senate in the formation of a Joint Senate and House Committee, to which shall be referred all Bills calling for constitutional amendments, and that this Joint Committee be required to recommend to the Senate and House for passage three or less Bills providing for constitutional amendments. Motion carried.

On motion of Higgins, Representative Henderson was granted leave of absence until Thursday of next week.

On motion of Higgins, Representative Lewis was granted leave of absence over Monday of next week.

On motion of Blake, duly seconded, the Speaker was empowered to grant leaves of absence to members upon request.

McMahon: I move that the receipt of communications and petitions shall be duly noted in the House Journal and only the name of the member presenting the same, the name of the signer, or if there be many signers, the names of a sufficient number thereof to indicate their character and standing, and the general import of the said communication or petition shall be entered upon the Journal, unless the House shall order by vote that the full contents of such communication or petition shall be recorded. Motion carried.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, January 4, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Williams, duly seconded and carried, a new Standing Committee, to be known as the Committee on Taxation, consisting of seven members, will be added to the Standing Committees of the Senate.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 4, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that notices of the following Bills were this day given as follows:

By Edwards: A Bill for an Act entitled, "An Act defining lobbyists and regulating them in their work and undertaking in the Legislative Assembly, Legislative Committees and individual members of the Legislative Assembly, and providing penalties."

By Morris: A Bill for an Act entitled, "An Act providing for the creation of herd districts; prescribing the manner of creation thereof; providing for the fencing of said districts and for the erection and maintenance of same and preventing the running of livestock therein, and providing the penalty for the violation thereof."

By Lane: A Bill for an Act entitled, "An Act to amend Sections 302 and 303 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly, 1913, and Section 3195, Revised Codes, 1907, relating to county superintendents, their duties and their expenses."

By Whiteside: A Bill for an Act entitled, "An Act to provide for the re-registration of land titles under the Torrens system."

By Whiteside: A Bill for an Act entitled, "An Act to amend Section 5212 of the Revised Codes of 1907 fixing the maximum rate of interest allowed by law."

By Brower: A Bill for an Act entitled, "An Act to amend Section 2 of Chapter 83, Session Laws of the Thirteenth Legislative Assembly of the State of Montana, 'An Act to provide for the regulation of sale of articles by weight, measure and numerical count within the State of Montana; creating the office of State Sealer of Weights and Measures, providing the duties and powers of such State Sealer of Weights and Measures; providing penalties for the violation of the provisions of this Act, and repealing the provisions of Chapter 34 of the Laws of the Twelfth Legislative Assembly, approved March 13, 1913.'"

By Lane: A Bill for an Act entitled, "An Act dividing the State into two Congressional Districts and amending Section 47, Montana Revised Codes, 1907."

By Brower: A Bill for an Act entitled, "An Act to regulate the employment of the Legislative Lobby Counsel and Agents; to prohibit Legislative Counsel and Agents from attempting to influence members of the Legislature, other than by appearance before Committees thereof; to provide for the return of Legislative expenses and prescribing penalties and fixing punishment for the violation of the provisions thereof."

By Burlingame: A Bill for an Act entitled, "An Act providing for service of process and notices upon domestic and foreign corporations and to repeal Chapter 22 of the Laws of 1915."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 4, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Williams, duly seconded and carried, the President of the Senate appointed a Committee of three to act with a like Committee of the House to act as a Joint Committee of Constitutional Amendments, to which Joint Committee shall be referred all Bills introduced in both Houses having to do with amendments to the Constitution of the State of Montana. The following Senators were appointed: Williams, Taylor and Hogan.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 5th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By O'Shea: A Bill for an Act entitled, "An Act to consolidate the offices of State Coal Mine Inspector, State Mine Inspector and State Boiler Inspector under the Industrial Accident Board in accordance with the safety provisions of the Workmen's Compensation Act; defining the duties of said officers, and repealing all Acts in conflict therewith."

By McCone: A Bill for an Act entitled, "An Act to repeal the primary law initiated and passed by the people at the election held November, 1912, and to enact a party primary law in lieu thereof."

By Slayton: A Bill for an Act entitled, "An Act to empower County Commissioners to view public highways and to recompense them for their services."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 4, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body



that House Bill No. 1, having been read three several times and concurred in, title agreed to, is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 4, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 2, having been read three several times and concurred in, title agreed to, is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 4, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 3, having been read three several times and concurred in, title agreed to, is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Searles, the House recessed for ten minutes, to permit the Committee on Employees to meet and prepare a report.

House resumed, 1:30 P. M.

Mr. Speaker in the Chair.

Flanigan of the Committee on Employees reported as follows:

Mr. Speaker: We, your Committee on House Employees, beg leave to report that we have deferred action on additional employees until Monday, January 8, 1917.

On motion of McMahon, House reverted to Sixth Order of Business.

#### MOTIONS AND RESOLUTIONS.

On motion of Andrew, duly seconded, House Bills Nos. 1, 2 and 3 were considered correctly enrolled, and presented to Mr. Speaker for his signature.

Gould moved that House Employees Committees be instructed to limit the number of House Employees to legal number provided for by Statute of the Fourteenth Legislative Assembly.

Mr. Speaker ruled motion out of order.

Gould moved a reconsideration of the vote by which the report of yesterday of the Committee on House Employees was adopted.

Page moved that motion to reconsider be laid on the table, which was lost by the following standing vote: Ayes, 38; Noes, 42.

McMahon moved that House adjourn until Monday, January 8, 2:00 P. M.

Roll call being demanded, the motion was carried by the following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Ball, Bent, Blodgett, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Duffy, Fishbaugh, Flanigan, Grimes, Hathaway, Hawks, Hurd, Husser, Ironside, Jensen, Kehoe, Larse, Lemmon, McMahon, McMillan, Mason, Morris, Morrow, Murray, O'Brien, Prosser, Page, Rainey, Sand, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—46.

Noes: Anderson (Oscar W.), Arneson, Baldwin, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Cotter, Dodds, Eaton, Gould, Griffin, Gullidge, Harbert, Henry, Higgins, Holt, Huffaker, Ingalls, Johnson, Johnston, Jones, Kelsey, Kemmis, Lanstrum, Lewis, Lusk, McDonald, McQuarrie, Middleton, Phelps, Quaintance, Rasmussen, Scott—41.

Absent and not voting: Buell of Gallatin, Eliel, Farmer, Fuller, Harmon, Henderson, McClory, Spain—8.

Morrow given permission by Mr. Speaker to absent himself from the House until Wednesday of next week.

Mr. Speaker declared the House adjourned until Monday, January 8, 1917, at 2:00 o'clock P. M.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## EIGHTH DAY

Monday, January 8, 1917.

House met at 2:00 o'clock P. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by the Chaplain.

Roll called. All present except Brooks, Middleton and White; Eliel absent; Henderson, Lewis and Morrow granted leaves of absence.

On motion of McMahon, the Journal of the fifth day was considered as read and approved.

On motion of Gould, House proceeded to Sixth Order of Business.

## MOTIONS AND RESOLUTIONS.

Gould asked consent to withdraw motion to reconsider adopted report of Committee on Employees.

Searles moved to withdraw report of Committee on Employees, adopted last Friday. Motion carried.

Mr. Speaker appointed the following Standing Committees of the House:

Agriculture: Davis, Chairman, Teton; Hawks, Wibaux; Sand, Valley; Larse, Sanders; Sektnan, Valley; Fishbaugh, Chouteau; Spain, Gallatin; Eaton, Yellowstone; Henry, Chouteau; Burnworth, Rosebud; Kelsey, Custer; McClory, Toole; Buell, Gallatin.

Affairs of Cities: Andrew, Chairman, Silver Bow; Jensen, Cascade; Larse, Sanders; Bent, Carbon; Connolly, Silver Bow; Demel, Yellowstone; Ashby, Lewis and Clark; Shaw, Powell; Weil, Lincoln; Quaintance, Jefferson; Scott, Big Horn; Fuller, Custer; Ingalls, Flathead; Cotter, Broadwater; Working, Lewis and Clark.

Apportionment and Representation: Ball, Chairman, Silver Bow; O'Brien, Silver Bow; Hathaway, Ravalli; Andrew, Silver Bow; Stimpert, Cascade; Ingalls, Flathead; Phelps, Valley; Kemmis, Richland; Quaintance, Jefferson.

Appropriations: White, Chairman, Fergus; McMahon, Silver Bow; Crismas, Carbon; Gould, Madison; Fishbaugh, Chouteau; Sektnan, Valley; Weil, Lincoln; Deibel, Custer; Eliel, Beaverhead; Griffin, Blaine; Blake, Deer Lodge; Higgins, Missoula; Brooks, Park; Harmon, Gallatin; Searles, Mineral.

Banks and Banking: Morrow, Musselshell; Weil, Lincoln; Clark, Chouteau; Wheat, Madison; Morris, Fallon; Demel, Yellowstone; Mason, Missoula; Grimes, Silver Bow; Cotter, Broadwater; Arneson, Sweet Grass; Belden, Fergus; Baldwin, Carbon; Rasmussen, Dawson; Baxter, Meagher; Middleton, Rosebud.

Corporations other than Municipal: Lemmon, Chairman, Deer Lodge; Husser, Hill; Prosser, Lewis and Clark; Farmer, Cascade; White, Fergus; Kehoe, Yellowstone; Grimes, Silver Bow; Hurd, Stillwater; Lewis, Chouteau; McMillan, Sheridan; Holt, Cascade; Gullidge, Prairie; Huffaker, Lewis and Clark; Cotter, Broadwater; Blake, Deer Lodge.

Conservation of Resources: Fishbaugh, Chairman, Chouteau; Deibel, Custer; Ball, Silver Bow; Carl, Yellowstone; Crowley, Silver Bow; Rainey, Dawson; Buell, Missoula; Phelps, Valley; Rasmussen, Dawson.

Dairying: Spain, Chairman, Gallatin; Husser, Hill; Deibel, Custer; Bent, Carbon, Clark, Chouteau; Cotter, Broadwater; Eaton, Yellowstone; Arneson, Sweet Grass; Larse, Sanders.

Development and Publicity: Clark, Chairman, Chouteau; Morris, Fallon; Murray, Cascade; Prosser, Lewis and Clark; Hurd, Stillwater; White, Fergus; Larse, Sanders; Bernard, Flathead; Buell, Missoula; Johnson, Deer Lodge; Burnworth, Rosebud.

Education: Andersen (Charles), Chairman, Fergus; Bent, Carbon; Blodgett, Silver Bow; Kehoe, Yellowstone; Rainey, Dawson; Wheat, Madison; Husser, Hill; Holt, Cascade; Middleton, Rosebud; Harmon, Gallatin; Lusk, Missoula; Phelps, Valley; Quaintance, Jefferson.

Engrossment: Connolly, Chairman, Silver Bow; Gould, Madison; Hathaway, Ravalli; Jensen, Cascade; Shaw, Powell, Fuller, Custer; Blake, Deer Lodge; Huffaker, Lewis and Clark; Henderson, Dawson.

Enrollment: Crowley, Chairman, Silver Bow; Grimes, Silver Bow; Clark, Chouteau; Duffy, Silver Bow; Flanigan, Silver Bow; Dodds, Flathead; Harbert, Flathead; Johnson, Deer Lodge; Scott, Big Horn.

Equal Suffrage: Carl, Chairman, Yellowstone; Andrew, Silver Bow; O'Brien, Silver Bow; Morris, Fallon; Searles, Mineral; Mason, Missoula; Andersen (Charles), Fergus; Ingalls, Flathead; Booth, Cascade; Buchanan, Yellowstone; McMillan, Sheridan.

Fairs and Expositions: Ashby, Chairman, Lewis and Clark; Huffaker, Lewis and Clark; Murray, Cascade; Prosser, Lewis and Clark; Ward, Silver Bow; Rainey, Dawson; Farmer, Cascade; Brooks, Park; Johnson, Deer Lodge; Working, Lewis and Clark; Eaton, Yellowstone; Scott, Big Horn; Eliel, Beaverhead.

Federal Relations: Duffy, Chairman, Silver Bow; Murray, Cascade; Page, Granite; Prosser, Lewis and Clark; Harbert, Flathead; Demel, Yellowstone; Buchanan, Yellowstone; Henderson, Dawson; Jones, Phillips.

Fish and Game: Searles, Chairman, Mineral; Carl, Yellowstone; Crismas, Carbon; Ironside, Silver Bow; Lemmon, Deer Lodge; Shaw, Powell; Morrow, Musselshell; Brooks, Park; Arneson, Sweet Grass; Johnson, Deer Lodge; Baxter, Meagher; McQuarrie, Missoula; Dodds, Flathead.

Highways: Jensen, Chairman, Cascade; Morrow, Musselshell; Crismas, Carbon; Hurd, Stillwater; Shaw, Powell; Larse, Sanders; Davis, Teton; McQuarrie, Missoula; Rasmussen, Dawson; Baxter, Meagher; Booth, Cascade; Dodds, Flathead; Arneson, Sweet Grass; Belden, Fergus; Grimes, Silver Bow.

Horticulture: Crismas, Chairman, Carbon; Larse, Sanders; Hawks, Wibaux; Sektnan, Valley; Spain, Gallatin; Kelsey, Custer; Bernard, Flathead; Johnston, Ravalli; Kemmis, Richland.

House employees: (Appointed).

Improvements and Manufacturing: Gould, Chairman, Madison; Hawks, Wibaux; Connolly, Silver Bow; Weil, Lincoln; Griffin, Blaine; Holt, Cascade; McMillan, Sheridan.

Insurance: Wheat, Chairman, Madison; Ashby, Lewis and Clark; Kehoe, Yellowstone; White, Fergus; Carl, Yellowstone; Weil, Lincoln; Larse, Sanders; Crismas, Carbon; Brooks, Park; Lanstrum, Lewis and Clark; Johnston, Ravalli; Blake, Deer Lodge; Lusk, Missoula.

Internal Improvements: Farmer, Chairman, Cascade; Ward, Silver Bow; Page, Granite; Clark, Chouteau; Flanigan, Silver Bow; Ingalls, Flathead; Buell, Missoula; Henderson, Dawson; McClory, Toole.

Irrigation and Water Rights: Rainey, Chairman, Dawson; Crismas, Carbon; Davis, Teton; Spain, Gallatin; Larse, Sanders; Buell, Gallatin; Brooks, Park; Jones, Phillips; Kelsey, Custer.

Journal: Blodgett, Chairman, Silver Bow; Jensen, Cascade; Ironside, Silver Bow; Ball, Silver Bow; Crowley, Silver Bow; Henry, Chouteau; Higgins, Missoula.

Judiciary: Mason, Chairman, Missoula; Demel, Yellowstone; Rainey, Dawson; Ward, Silver Bow; Morrow, Musselshell; Andersen (Charles), Fergus; Andrew, Silver Bow; Stimpert, Cascade; Blodgett, Silver Bow; Lusk, Missoula; Belden, Fergus; Higgins, Missoula; Lewis, Chouteau; Cotter, Broadwater; Working, Lewis and Clark.

Labor: Murray, Chairman, Cascade; Crowley, Silver Bow; Wheat, Madison; Connolly, Silver Bow; Spain, Madison; Hurd, Stillwater; Hawks, Wibaux; Demel, Yellowstone; McMillan, Sheridan; Eliel, Beaverhead; Johnston, Ravalli; Fuller, Custer; Middleton, Rosebud; Burnworth, Rosebud; McDonald, Teton.

Libraries: Ward, Chairman, Silver Bow; Sand, Valley; Morrow, Musselshell; Husser, Hill; Hathaway, Ravalli; Duffy, Silver Bow; Lewis, Chouteau; Rasmussen, Dawson; Blake, Deer Lodge.

Livestock and Public Ranges: Morris, Chairman, Fallon; Bent, Carbon; Davis, Teton; Deibel, Custer; Hawks, Wibaux; Clark, Chouteau; White, Fergus; Sektnan, Valley; Spain, Gallatin; Anderson (Oscar), Fergus; Baxter, Meagher; Fuller, Custer; Henderson, Dawson; Jones, Phillips; Cotter, Broadwater.

Military Affairs: Demel, Chairman, Yellowstone; Page, Granite; Ironside,

Silver Bow; Sektan, Valley; O'Brien, Silver Bow; McDonald, Teton; Bernard, Flathead; Anderson (Oscar), Fergus; Burnworth, Rosebud.

Mines and Mining: McMahon, Chairman, Silver Bow; Andrew, Silver Bow; Weil, Lincoln; Ironside, Silver Bow; Davis, Teton; Page, Granite; Lemmon, Deer Lodge; Ball, Silver Bow; Quaintance, Jefferson; Lanstrum, Lewis and Clark; Baldwin, Carbon; Booth, Cascade; McClory, Toole; Working, Lewis and Clark; Griffin, Blaine.

New Counties and Divisions: Bent, Chairman, Carbon; Mason, Missoula; McMahon, Silver Bow; Weil, Lincoln; Searles, Mineral; Fishbaugh, Chouteau; Ball, Silver Bow; Blodgett, Silver Bow; Baxter Meagher; Belden, Fergus; Rasmussen, Dawson; Middleton, Rosebud; Booth, Cascade.

Printing: Hurd, Chairman, Stillwater; Hawks, Wibaux; Searles, Mineral; Carll, Yellowstone; Shaw, Powell; Blake, Deer Lodge; Lanstrum, Lewis and Clark; Brooks, Park; Bernard, Flathead.

Privileges and Elections: Weil, Chairman, Lincoln; Crismas, Carbon; Ball, Silver Bow; Searles, Mineral; Fishbaugh, Chouteau; Jensen, Cascade; Lemmon, Deer Lodge; Lanstrum, Lewis and Clark; McDonald, Teton; Blake, Deer Lodge; McClory, Toole.

Public Morals, Charities and Reforms: Hathaway, Chairman, Ravalli; Bent, Carbon; Kehoe, Yellowstone; Sand, Valley; Demel, Yellowstone; Grimes, Silver Bow; Ingalls, Flathead; Lewis, Chouteau; Gullidge, Prairie.

Public Utilities and Stage Commissions: Prosser, Chairman, Lewis and Clark; White, Fergus; Kehoe, Yellowstone; Husser, Hill; Morris, Fallon; Gould, Madison; McDonald, Teton; Baldwin, Carbon; Griffin, Blaine; Harmon, Gallatin; Dodds, Flathead.

Railroads and Transportation: Larse, Chairman, Sanders; Hurd, Stillwater; O'Brien, Silver Bow; Morris, Fallon; Prosser, Lewis and Clark; Andersen (Charles), Fergus; Hawks, Wibaux; Mason, Missoula; Fuller, Custer; Griffin, Blaine; Cotter, Broadwater; McDonald, Teton; Harbert, Flathead; Lusk, Missoula; Buell, Gallatin.

Rules, Joint Rules and Order of Business: McMahon, Chairman, Silver Bow; Mason, Missoula; Spain, Gallatin; Blake, Deer Lodge.

Sanitary Affairs: Husser, Chairman, Hill; Ironside, Silver Bow; Mason, Missoula; Stimpert, Cascade; Wheat, Madison; Carll, Yellowstone; Farmer, Cascade; Lusk, Missoula; Jones, Phillips; Buchanan, Yellowstone; Henry, Chouteau.

State Boards and Officers: Ironside, Chairman, Silver Bow; Rainey, Dawson; Grimes, Silver Bow; Hawks, Wibaux; Hurd, Stillwater; Morris, Fallon; Working, Lewis and Clark; Lewis, Chouteau; Fuller, Custer; Henry, Chouteau; Gullidge, Prairie.

State Institutions, Public Buildings and Grounds: Deibel, Chairman, Custer; Fishbaugh, Chouteau; Crowley, Silver Bow; Spain, Gallatin; Duffy, Silver Bow; Bent, Carbon; O'Brien, Silver Bow; Harmon, Gallatin; Arneson, Sweet Grass; Buell, Gallatin; Booth, Cascade; Huffaker, Lewis and Clark; Kemmis, Richland.

State Lands: Page, Chairman, Granite; Spain, Gallatin; Larse, Sanders; Morris, Fallon; Morrow, Musselshell; Ward, Silver Bow; Sand, Valley; McQuarrie, Missoula; Anderson (Oscar), Fergus; Burnworth, Rosebud; Harmon, Gallatin; Kelsey, Custer; Lanstrum, Lewis and Clark.

Townships and Counties: Sand, Chairman, Valley; Farmer, Cascade; Blodgett, Silver Bow; Stimpert, Cascade; Prosser, Lewis and Clark; Hurd, Stillwater; Gullidge, Prairie; Rasmussen, Dawson; Henry, Chouteau; McQuarrie, Missoula; Fuller, Custer.

Waterways and Navigation: Shaw, Chairman, Powell; Ward, Silver Bow; Wheat, Madison; Duffy, Silver Bow; Stimpert, Cascade; Cotter, Broadwater; Arneson, Sweet Grass; Buchanan, Yellowstone; Henry, Chouteau.

Ways and Means: Kehoe, Chairman, Yellowstone; Lemmon, Deer Lodge; Ashby, Lewis and Clark; Rainey, Dawson; Morrow, Musselshell; Crismas, Carbon; White, Fergus; McMahon, Silver Bow; Baxter, Meagher; Holt, Cascade; Bernard, Flathead; Baldwin, Carbon; Middleton, Rosebud; Belden, Fergus; Higgins, Missoula.



Mr. Speaker appointed the following Committee, in pursuance of Representative Higgins' motion on Constitutional Amendments: Chairman, Andrew; Higgins, White.

Mr. Speaker, in the presence of the House, signed House Bills Nos. 1, 2 and 3.

### COMMUNICATIONS AND PETITIONS.

The following communication was received from Pelletier, Cooper and Company:

Helena, Montana, January 5, 1917.

To the Honorable House of Representatives, State of Montana:

We beg leave to submit to you the following proposition:

We will take full stenographic notes of all proceedings had in the House of Representatives during the Fifteenth Session thereof, at ten dollars per day for each day's attendance in the taking of said notes, and fifteen cents per hundred words for transcribing such portions as may be required by your honorable body, and five cents per hundred words for each additional copy.

We agree to furnish such portions as may be required to be transcribed forthwith.

Respectfully submitted,

PELLETIER, COOPER AND COMPANY.

Referred to Committee on Printing.

### NOTICES OF BILLS.

By Demel: An Act to prohibit livestock from running at large in any city, town or village and within a radius of three miles thereof.

By Holt: A reciprocal demurrage Bill.

By Holt: Torrens registration system for the registration of land titles.

By Holt: "An Act authorizing Boards of County Commissioners to adopt measures for the extermination of gophers and for the purchase of poison by the State."

By Bernard: An Act amending Section 459 of the Revised Codes of Montana, 1907, fixing the compensation of Boards of Election.

By Jones: An Act to provide for the distribution among the counties of all monies collected through the sale of automobile licenses by the State of Montana.

By Dodds: An Act to impose a license tax upon every person, company and corporation engaged in mining metals in the State of Montana and providing for the enforcement thereof.

By Dodds: An Act to provide Civil Service for certain employees of the State of Montana and the counties and cities thereof, to provide for a Civil Service Commission and to regulate its duties.

By Jones: An Act to compel railroad train dispatchers to furnish information to station agents regarding the whereabouts of all passenger trains scheduled to stop at said stations and providing a penalty for the violation thereof.

By Working: An Act to amend Section 3169 of the Revised Codes of Montana, revision of 1907, relating to the fees of the Clerk of the District Court in each county of the State, enumerating the fees to be collected and that must be paid for services to be rendered.

By Hathaway: An Act to appropriate money for the extension of the Feeble Minded department at Boulder whereby will be established colonies for the low grade feeble minded, idiotic and imbecile children, and adult feeble minded, both male and female, and epileptics, and to provide for their admission and discharge from such feeble minded department; to provide for purchase of land and erection of buildings and equipment, and making an appropriation for the same.

By Working: An Act to amend and reenact Section 2616 of the Revised Codes of Montana, revision of 1907, relating to collection of taxes by the county treasurer, and the manner of giving notices of the amount due, and delinquent, and when delinquent, and penalty added in case of delinquency.

By Baxter: An Act to provide a license tax on certain industries of the State.

By Cotter: An Act to prohibit gambling on games played upon pool and billiard tables; to punish those who participate therein as well as those who conduct or carry on such games, and to provide for early closing of all pool halls, billiard halls, bowling alleys and other places where pool is played.

By Crismas: An Act to provide for the semi-annual payment of property taxes at the option of each taxpayer and to provide and to fix penalties for the non-payment of taxes.

By Belden: An Act to provide for the registration and regulation of motor vehicles and of the application and disbursement of the fees collected therefrom, and to repeal Chapter 73 of the Laws of the Thirteenth Legislative Assembly, State of Montana, as amended by Chapter 65 of the Laws of the Fourteenth Legislative Assembly of the State of Montana.

By Higgins: An Act imposing a license tax on the proceeds of producing metalliferous mines; defining the term producing mine; providing methods and granting the power for the ascertainment of the proceeds of such mines; also for the collection of such license tax and the distribution of the revenue therefrom; and making the same a lien on mines subject to the provisions of this Bill.

By Demel: An Act providing for the collection of wages of laborers, employees and servants; how and when such wages are due and payable, and providing for attorneys' fees in the collection of same when suit is instituted.

By Demel: An Act to amend Section 1339 of the Revised Codes of Montana of 1907, relating to the width of highways, and providing for the altering of the same by petition to the Board of County Commissioners.

By Higgins: An Act to levy a horse power tax upon all hydro-electric power companies operating within the State of Montana on each and every horse power developed and sold, marketed, leased, or otherwise disposed of within the State; and making it the duty of the State Board of Examiners to ascertain annually the number of such horse power developed, sold, marketed, leased or otherwise disposed of within the State; and granting said Board authority to examine the books and records of all such hydro-electric power companies; to administer oaths, compel attendance of witnesses and all other power necessary to ascertain such information and report their findings to the State Treasurer on or before the date of the annual tax levy as provided by law; and directing the State Treasurer to levy and collect this license tax on every such horse power so reported to him by the State Board of Examiners, and to collect the same and apportioning the revenue so derived.

By Demel: An Act to amend Section 6870 E of the Revised Codes of Montana, enacted in Chapter 113 of the Laws of 1915, so as to avoid the necessity of taking oral testimony before securing an order for publication of summons in an action to quiet title.

By Demel: An Act to amend Section 7724 of the Revised Codes of Montana, and providing for the payment of an inheritance tax upon real property, as well as personal property, when the same passes to direct heirs.

By Johnston: An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article XII of the Constitution of the State of Montana relating to exemptions from taxation.

#### REPORTS OF STANDING COMMITTEES.

Flanigan of the Committee on House Employees reported as follows:

Helena, Montana, January 8, 1917.

Mr. Speaker: We, your Committee on House Employees, beg leave to report that we have named the following employees:

Mae Norvaes, Committee Clerk; Clair Chamberlain, Committee Clerk; Miss Bertha Zoeller, Committee Clerk; F. D. Lyman, Committee Clerk; Inez Johnson, Committee Clerk; Gertrude Nason, Committee Clerk; R. C. Marks, Committee Clerk; J. L. Seawell, Committee Clerk; Frank A. Biglow, Committee Clerk; Miss Gertrude Sloan, Committee Clerk; Ray M. Van Houten, Committee Clerk; Miss Wilson, Committee Clerk; Miss Elizabeth Trischman, Committee Clerk; Miss Bessie Little, Committee Clerk; Miss Lillian Sullivan, Committee Clerk; Miss Martha Fasel, Committee Clerk; Miss A. Breidenbach, Committee Clerk; B. H. Rae, Committee Clerk; Teresa Connell, Committee Clerk; Miss

Gertrude Ashby, Committee Clerk; Miss M. B. Salisbury, Committee Clerk; Miss Eva Donnell, Committee Clerk; Miss Katherine Brooks, Committee Clerk; Miss Culbertson, Committee Clerk; Miss Harriet Lee, Committee Clerk; Joyce A. Hibbey, Committee Clerk; Harold Lanning, Committee Clerk; Mrs. Joe Steiner, Committee Clerk; Mary Russell, Committee Clerk; Mary V. Brown, Committee Clerk; Mayme Anderson, Committee Clerk.

On motion of Gould, the report of the Committee on Employees was approved.

The following Bills were taken from the file and referred to the following Committees:

- H. B. No. 4, by Murray. Referred to Committee on Labor.
- H. B. No. 5, by Stimpert. Referred to Committee on Highways.
- H. B. No. 6, by Page. Referred to Committee on Labor.
- H. B. No. 7, by Bernard. Referred to Committee on Fish and Game.
- H. B. No. 8, by Rasmussen. Referred to Committee on Privileges and Elections.

### INTRODUCTION OF HOUSE BILLS.

The following Bills were introduced:

H. B. No. 9, introduced by Jensen: A Bill for an Act entitled, "An Act relating to the levying of a tax in cities having less than 50,000 population for the purpose of creating a municipal band fund, and providing for the election for this purpose." Referred to Committee on Affairs of Cities.

H. B. No. 10, introduced by Mason: A Bill for an Act entitled, "An Act to provide for a maximum rate of interest on loans of money, providing a penalty for violation thereof; and to repeal Sections 1, 2, 3 and 4 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, and repealing Section 5212 of the Revised Codes of 1907, and of the amendment thereto by Chapter 35, Section 5212, of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana." Referred to Committee on Banks and Banking.

H. B. No. 11, introduced by Bent: A Bill for an Act entitled, "An Act regulating and limiting the hours of employment for female employees, and governing the conditions under which female employees shall work in certain industries, and providing penalties for violation thereof." Referred to Committee on Labor.

H. B. No. 12, introduced by Bernard: "A Bill for an Act to amend Section 112 of the Political Code of the State of Montana relating to representatives from the several counties of the State in the following manner." Referred to Judiciary Committee.

H. B. No. 13, introduced by Bernard: A Bill for an Act entitled, "An Act to amend Section 546 of the Revised Codes of 1907, relating to ballots and voting, and providing for the furnishing of official ballots and sample ballots by the county clerk at general elections held in the State." Referred to Judiciary Committee.

H. B. No. 14, introduced by Stimpert: A Bill for an Act entitled, "An Act to provide for dividing counties into County Commissioner Districts; providing for one County Commissioner from each district; providing for the changing and equalizing of County Commissioner Districts; and amending Sections 2881 and 2882 of the Revised Codes of Montana of 1907." Referred to Judiciary Committee.

H. B. No. 15, introduced by Gould: "A Bill for an Act regulating and limiting the hours of employment for female employees; governing the conditions under which female employees shall work; providing penalties for violation thereof; and repealing Chapter 108 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, entitled, 'An Act regulating and limiting the hours of employment for female employees and governing the conditions under which female employees shall work in certain industries, and providing penalties for violation thereof,' approved March 15, 1913." Referred to Committee on Labor.

H. B. No. 16, introduced by Stimpert: A Bill for an Act entitled, "An Act authorizing the State of Montana to become indebted in the sum of two hundred and fifty thousand dollars (\$250,000) in excess of the constitutional limit and

over and above any bonded indebtedness heretofore incurred and for which it is now obligated; providing for the issuance and sale of bonds in the name of the State to acquire funds for the purchasing or building of a terminal grain elevator with necessary equipment at Minneapolis, Minnesota, to be owned, controlled and operated by the State and used for the storage and marketing of grain purchased in Montana; prescribing the form of such bonds; providing for the levying of a tax to pay the principal thereof and the interest accruing thereon; providing for the submission to the qualified electors at the next general election the question of the issuance of such bonds and prescribing the form of the ballots to be used and the duties of the State Board of Examiners relative to the issuance of such bonds and the duties of the Secretary of State relative to the submission of said question to the qualified electors." Referred to Committee on Ways and Means.

H. J. Resolution No. 3, introduced by Harbert: "A Resolution memorializing Congress to stock the National Bison Range, located in Missoula County, with reindeer." Referred to Fish and Game Committee.

H. J. Resolution No. 4, introduced by Harbert: "A Resolution memorializing Congress for the passage of an appropriation of \$10,000 to dredge Polson Bay on Flathead Lake of this State." Referred to Committee on Waterways.

H. J. Resolution No. 5, introduced by Higgins: Pertaining to economy in the House in regard to employees. Referred to Committee on House Employees.

### READING OF HOUSE BILLS.

H. B. No. 9, read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 10, read first and second time and referred to Committee on Banks and Banking.

H. B. No. 11, read first and second time and referred to Committee on Labor.

H. B. No. 12, read first and second time and referred to Judiciary Committee.

H. B. No. 13, read first and second time and referred to Judiciary Committee.

H. B. No. 14, read first and second time and referred to Judiciary Committee.

H. B. No. 15, read first and second time and referred to Committee on Labor.

H. B. No. 16, read first and second time at length and referred to Committee on Ways and Means.

The following House Joint Resolutions and Memorials were taken from the file and referred to Committees:

House Joint Resolution No. 1, referred to Committee on Irrigation.

House Joint Resolution No. 2, referred to Committee on Ways and Means.

House Joint Memorial No. 1, referred to Committee on Waterways and Navigation.

House Joint Resolution No. 3, by Harbert, read first and second time at length and referred to Committee on Fish and Game.

House Joint Resolution No. 4, by Harbert, read first and second time at length and referred to Committee on Waterways and Navigation.

House Joint Resolution No. 5, by Higgins, read first and second time at length, and referred to Committee on House Employees.

### MOTIONS AND RESOLUTIONS.

Mason: I move that after today the Journal Committee of the House read and approve the Journal of the previous day, and report their findings to the House at the morning session.

Higgins offered the substitute motion that the original motion be referred to the Committee on Rules.

Substitute motion lost by standing vote of 37 to 41, and original motion carried.

Prosser: I move that the Sergeant-at-Arms be instructed to procure and furnish to each member one Journal file, one House Bill file, also one Senate Bill file, and that all Bills be properly perforated. Motion carried.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, January 5th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body



that the following Bills were introduced, read first and second times, and referred as follows:

Senate Bill No. 1, introduced by Brower: "A Bill for an Act to provide for a maximum rate of interest; providing a penalty for violation thereof and repealing Chapter 36 of the Session Laws of the Thirteenth Legislative Assembly, entitled, 'An Act to provide for a maximum rate of interest on loans of money, providing a penalty for violation thereof, and to amend Section 5212, Revised Codes of 1907,' approved February 27, 1913." Referred to Judiciary Committee.

Senate Bill No. 2, introduced by Brower: "An Act to regulate the employment of Legislative Lobby Counsel and Agents; to prohibit Legislative Counsel and Agents from attempting to influence members of the Legislature, other than by appearance before Committees thereof; to provide for the return of Legislative expenses and prescribing penalties and fixing punishment for the violation of the provisions thereof." Referred to Judiciary Committee.

Senate Bill No. 3, introduced by Brower: "A Bill for an Act to amend Section 2 of Chapter 83, Session Laws of the Thirteenth Legislative Assembly of the State of Montana, 'An Act to provide for the regulation of sale of articles by weight, measure and numerical count within the State of Montana; creating the office of State Sealer of Weights and Measures, providing the duties and powers of such State Sealer of Weights and Measures; providing penalties for the violation of the provisions of this Act, and repealing the provisions of Chapter 34 of the Laws of the Twelfth Legislative Assembly, approved March 13, 1913.'" Referred to the Judiciary Committee.

Respectfully,

J. F. CONE, Secretary of the Senate.

Mr. Speaker announced that he had papers of contest against the seat of R. O. McMillan of Sheridan county, instituted by P. E. Burke. The contest papers were referred to the Committee on Privileges and Elections.

On motion of Gould, duly seconded, Mr. Speaker was granted indefinite leave of absence.

Mr. Speaker excused Representatives Arneson and Holt over Tuesday, January 9, 1917.

On motion of Higgins, the House adjourned until 11:00 A. M. Tuesday, January 9, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## NINTH DAY

Tuesday, January 9, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker Pro Tem in the Chair.

Prayer by the Chaplain.

Roll called. All members present except Arneson, Burnworth, Jones and White; Eliel absent.

Blodgett of the Committee on Journal reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that the Journal has been read and recommend that it be approved. Report adopted.

### COMMUNICATIONS AND PETITIONS.

The following communication was received from the Secretary of State, enclosing a Joint Resolution from the State of Connecticut:

January 3, 1917.

Honorable Speaker of the House, Helena, Montana.

Sir: I have the honor to transmit herewith House Joint Resolution No. 92 received from the Secretary of State of Connecticut with the request that I transmit same to the Legislature of Montana.

Yours truly,

C. T. STEWART, Secretary of State.

## STATE OF CONNECTICUT.

General Assembly, January Session, A. D. 1915.  
(House Joint Resolution No. 92).

## RESOLUTION RECOMMENDING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES CONCERNING POLYGAMY.

WHEREAS, It appears from investigation recently made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States notwithstanding prohibitory statutes enacted by the several States thereof, and

WHEREAS, The practice of polygamy is generally condemned by the people of the United States, and there is a demand for the more effectual prohibition thereof by placing the subject under federal jurisdiction and control, and at the same time reserving to each State the right to make and enforce its own laws relating to marriage and divorce; now, therefore,

RESOLVED, That the application be made and hereby is made under the provisions of Article V of the Constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited, and Congress shall be given power to enforce such prohibition by appropriate legislation.

RESOLVED, That the Legislatures of all other States of the United States, now in session or when next convened, hereby are respectfully requested to join in this application by the adoption of this or an equivalent resolution.

RESOLVED FURTHER, That the Secretary of State hereby is directed to transmit copies of this application to the Senate and House of Representatives of the United States, and to the several members of said bodies representing this State therein; also to transmit copies hereof to the Legislatures of all other States of the United States.

State of Connecticut, Senate, March 11, 1915, passed—Sabin S. Russell, Clerk.

State of Connecticut, House of Representatives, March 4, 1915, passed—John Buckley, Clerk.

State of Connecticut, office of the Secretary—ss.

I, Chas. D. Burnes, Secretary of the State of Connecticut, and keeper of the seal thereof, do hereby certify that the foregoing is a true copy of a preamble and resolution passed by the General Assembly of said State, at its January Session, 1915.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said State, at Hartford, this eighteenth day of March, 1915.

(Seal)

CHAS. D. BURNES, Secretary.

Resolution referred to Committee on Public Morals, Charities and Reforms.

## NOTICES OF BILLS.

By Higgins: "An Act to amend Section 9376 of the Revised Codes of Montana relating to the entry of judgment and judgment roll in criminal proceedings by including the demurrer and the ruling of the court thereon in the judgment roll, and adding an additional section to be known as Section 9376 A, providing what shall constitute the judgment roll where the demurrer to an indictment or information is sustained and judgment rendered thereon; and a section to be known as Section 9376 B, providing what constitutes record on appeal in a criminal action."

By Mason: "A Bill for an Act to amend Section 1739, Revised Codes of Montana of 1907, relating to hours of labor for municipalities, mines, mills and smelters."

By Fishbaugh: "An Act providing for the calling of a grand jury, and providing a penalty for failure of a judge to call the same within ten (10) days."

By Farmer: "An Act to amend Sections 1643 and 1655 of the Revised Codes of 1907, as the same were amended by Chapter 30, Sections 5 and 13 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the inspection and operation of steam boilers within the State of Montana and including the examination and licensing of engineers therefor."

By Belden: "An Act establishing, locating and naming a second State Nor-

mal School and providing for its regulation, maintenance and control, and amending Sub-section 1 of Section 103, and Sub-section 2, Subdivision B 1, of Section 108 and Section 908 of Chapter 76 of the Laws of the Thirteenth Session of the Montana Legislative Assembly."

By Holt: A Bill requiring foreign, life, fire, hail and casualty insurance companies to invest seventy-five (75) per cent of their reserved funds in Montana securities.

By Holt: A Bill amending the Mutual Hail and Fire Insurance Law, Chapter III, Division I, Part IV, Title III of the 1907 Code and any amendment to the said law.

By Carl: "An Act providing for the levy of taxes for the support of accredited high schools in counties having no county high school."

By Carl: "An Act providing for the levy of school district taxes in excess of ten mills when authorized by vote of the qualified electors of such district."

By Carl: "An Act providing how candidates for the office of trustee of school districts may be nominated."

By Kehoe: "An Act to amend Sections 4, 5, 10, 11, 12 and 20 of Chapter 146 of the Session Laws of 1909 so as to avoid the necessity of dividing irrigation districts into divisions."

By Kehoe: "An Act providing how penalties and interest on delinquent taxes and assessments shall be apportioned."

#### REPORTS OF STANDING COMMITTEES.

Crowley of the Committee on Enrollment made the following report:

Mr. Speaker: We, your Committee on Enrollment, have this day delivered to His Excellency, the Governor, for approval, House Bills Nos. 1, 2 and 3.

#### INTRODUCTION OF BILLS.

The following Bills were introduced, read first and second time and referred to the following Committees:

H. B. No. 17, introduced by Working: A Bill for an Act entitled, "An Act to amend and reenact Section 2616 of the Revised Codes of 1907 of Montana, relating to the collection of taxes by the county treasurer, the manner of giving notice of the amount due, the amount delinquent, when delinquent, and the penalty added in case of delinquency." Referred to Judiciary Committee.

H. B. No. 18, introduced by Baldwin: A Bill for an Act entitled, "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article 12 of the Constitution of the State of Montana providing that evidences of debt shall be exempt from taxation." Referred to Committee on Privileges and Elections.

H. B. No. 19, introduced by Johnston: A Bill for an Act entitled, "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article XII of the Constitution of the State of Montana relating to exemptions from taxation." Referred to Committee on Judiciary.

H. B. No. 20, introduced by Demel: A Bill for an Act entitled, "An Act to prohibit the issuance of non-negotiable acknowledgments of indebtedness in payment for wages due employees, providing how acknowledgments of such indebtedness shall be paid, fixing the time when certain wages shall become due and providing for the collection of attorneys' fees in actions to recover wages." Referred to Committee on Labor.

H. B. No. 21, introduced by Demel: A Bill for an Act entitled, "An Act to amend Section 1339 of the Revised Codes of Montana of 1907, relating to the width of highways, and providing for the altering of the same by petition to the Board of County Commissioners." Referred to Committee on Highways.

H. B. No. 22, introduced by Crismas: A Bill for an Act entitled, "An Act to provide for the semi-annual payment of property taxes at the option of each taxpayer and to provide and to fix penalties for the non-payment of taxes." Referred to Committee on Judiciary.

H. B. No. 23, introduced by Johnston and Cotter. A Bill for an Act entitled, "An Act to prohibit gambling on games played upon pool and billiard

tables, to punish those who participate therein as well as those who conduct or carry on such games, and to provide for early closing of all pool halls, billiard halls, bowling alleys and other places where pool or billiards is played." Referred to Committee on Public Morals, Charities and Reforms.

H. B. No. 24, introduced by Bernard: A Bill for an Act entitled, "An Act amending Section 459 of the Revised Codes of Montana, 1907, fixing the compensation of Boards of Election." Referred to Committee on State Boards and Offices.

On motion of Belden, the Clerk was instructed to furnish each day two copies of the Daily Journal to each the Law Library and the Reference Library.

McMahon: I move that the thanks of the House be tendered to the management of Columbia Gardens of Butte for the button-hole bouquets laid on our desks this morning. Motion carried.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE.

The following communications were received from the Governor and Senate:  
Executive Office, January 8, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise you that I have this day approved House Bills Nos. 1, 2 and 3, making appropriations for the Fifteenth Legislative Assembly of the State of Montana.

S. V. STEWART, Governor.

Senate of the State of Montana, Helena, January 8, 1917.

House of Representatives, Helena, Montana.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Mileage of members of the Senate today reported as follows:

Lieut. Gov. W. W. McDowell, Butte to Helena and return.....	146	miles	\$14.60
Annin, J. B., Columbus to Helena and return.....	396	"	39.60
Arnold, Geo. O., Manhattan to Helena and return.....	205	"	20.50
Brower, A. J., Ronan to Helena and return.....	376	"	37.60
Burla, Gwen F., Hardin to Helena and return.....	594	"	59.40
Burlingame, J. M., Great Falls to Helena and return.....	196	"	19.60
Clark, T. L., Sweet Grass to Helena and return.....	504	"	50.40
Clay, Geo. W., Malta to Helena and return.....	618	"	61.80
Dwight, Reuben, Perma to Helena and return.....	370	"	37.00
Edwards, J. E., Forsyth to Helena and return.....	680	"	68.00
Ellingson, Henry, Big Timber to Helena and return.....	317	"	31.70
Featherly, Geo. P., Dillon to Helena and return.....	290	"	29.00
Fishbeck, F. G., Plentywood to Helena and return.....	1092	"	109.20
Gallwey, H. A., Butte to Helena and return.....	146	"	14.60
Gnose, J. B., Anaconda to Helena and return.....	198	"	19.80
Haley, W. S., Terry to Helena and return.....	870	"	87.00
Healy, Daniel, Livingston to Helena and return.....	246	"	24.60
Heren, Rolla P., Miles City to Helena and return.....	770	"	77.00
Hogan, T. S., Huntley to Helena and return.....	502	"	50.20
Hurd, W. W., Glasgow to Helena and return.....	748	"	74.80
Jones, William E., Harlowton to Helena and return.....	298	"	29.80
Junod, O. H., Sheridan to Helena and return.....	294	"	29.40
Kane, Thomas, Corvallis to Helena and return.....	330	"	33.00
Kinney, J. C., Wibaux to Helena and return.....	990	"	99.00
Lane, J. E., Lewistown to Helena and return.....	418	"	41.80
Larson, T. O., Choteau to Helena and return.....	306	"	30.60
McCone, George, Glendive to Helena and return.....	1008	"	100.80
Meadors, J. P., Riverview to Helena and return.....	1044	"	104.40
Mershon, N. J., Philipsburg to Helena and return.....	212	"	21.20
Morris, Claude F., Havre to Helena and return.....	442	"	44.20
Muffly, C. S., Winston to Helena and return.....	42	"	4.20
Oliver, John, Ekalaka to Helena and return.....	1092	"	109.20
O'Shea, D. G., Red Lodge to Helena and return.....	534	"	53.40
Parker, M. H., Boulder to Helena and return.....	72	"	7.20
Roberts, C. B., Fortine to Helena and return.....	884	"	88.40



Slayton, Daniel W., Lavina to Helena and return.....	386	"	38.60
Smith, Park, Helena .....			
Stevens, Geo. H., Fort Benton to Helena and return.....	286	"	28.60
Taylor, S. B., Lloyd to Helena and return.....	538	"	53.80
Whiteside, Fred, Kalispell to Helena and return.....	714	"	71.40
Willett, O. G., Alberton to Helena and return.....	302	"	30.20
Williams, Chas. H., Deer Lodge to Helena and return.....	124	"	12.40
(Signed) CLARK, Chairman.			

Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate of the State of Montana, Helena, January 8, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 1, introduced by Brower, being a Bill for an Act entitled, "A Bill for an Act to provide for a maximum rate of interest; providing a penalty for violation thereof and repealing Chapter 36 of the Session Laws of the Thirteenth Legislative Assembly, entitled, 'An Act to provide for a maximum rate of interest on loans of money, providing a penalty for violation thereof; and to amend Section 5212, Revised Codes of 1907,' approved February 27, 1913," was referred on January 5th to the Committee on Judiciary, and was this day re-referred to the Committee on Banks and Banking.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 8, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following members of the Senate were named by the Standing Committee as members of the different Committees herein named. (Herewith find attached list of membership and number).

Respectfully,

J. F. CONE, Secretary of the Senate.

Agriculture and Manufactures: McCone, Kane, Stevens, Featherly, Meadors, Healy, Morris, Whiteside, Clark. (9).

Mileage: Clark, Arnold, Mershon. (3).

Corporations other than Municipal: Williams, Fishbeck, Burlingame, Kane, Parker, Gallwey, Burla. (7).

Counties, Towns and Municipal Corporations: Dwight, Oliver, Ellingson, Clay, Jones, Haley, Muffy, Arnold, Hurd. (9).

Education: Oliver, Roberts, Smith, Jones, Gnose, Burla, Hurd. (7).

Engrossed Bills: Burla, Williams, Willett. (3).

Enrolled Bills: O'Shea, Oliver, Larson. (3).

Federal Relations: Morris, Muffy, Slayton, Meadors, Stevens. (5).

Finance and Claims: Kinney, Taylor, Edwards, Mershon, Annin, Clark, O'Shea, Burla, Lane. (9).

Judiciary: Burlingame, Edwards, Williams, Brower, Larson, Gallwey, Parker, Hogan, Lane. (9).

Military Affairs: Hurd, Whiteside, Smith, Heren, Roberts. (5).

Mines and Mining: Mershon, Gnose, Burlingame, Clay, Gallwey, Muffy, Parker. (7).

Public Buildings: Ellingson, Smith, Stevens, Willett, Fishbeck, Whiteside, Healy. (7).

Public Lands: Haley, Slayton, Ellingson, Featherly, Oliver, Morris, Lane. (7).

Public Morals: Slayton, Ellingson, Annin, Healy, Hurd. (5).

Printing: Gallwey, Lane, Meadors. (3).

Roads, Highways and Bridges: Meadors, Mershon, Haley, Jones, Junod, Heren, Featherly, Arnold, Healy. (9).

Libraries: Parker, Kinney, Willett. (3).

Irrigation and Water Rights: Featherly, Junod, Heren, Kane, Ellingson, Mershon, Arnold, Hurd, Burla. (9).

Fish and Game: Gnose, Burlingame, Jones, Slayton, Brower, Whiteside, Healy. (7).

Elections and Privileges: Fishbeck, Heren, Williams, Gallwey, Muffly. (5).  
 Labor and Capital: Willett, Dwight, Smith, Annin, Hogan, Lane, Muffly.

(7).

Sock Growing and Grazing: Heren, Haley, Taylor, McCone, Slayton, Featherly, Junod, Kinney, Morris. (9).

Immigration: Muffly, McCone, Dwight, Williams, Clark. (5).

Apportionment and Representation: Larson, Jones, Haley, Kinney, Gallwey. (5).

Fairs and Expositions: Annin, Gnose, Smith, McCone, O'Shea. (5).

Railroads and Transportation: Stevens, Larson, Roberts, Dwight, Taylor, Edwards, Parker, O'Shea, Clark. (9).

Rules: Edwards, Dwight, Hogan. (3).

Horticulture: Brower, Annin, Kane, Whiteside, Arnold. (5).

Insurance: Junod, Burlingame, Clay, Fishbeck, Oliver, Morris, Hogan. (7).

Dairies and Dairying: Kane, Meadors, Stevens, Whiteside, Hurd. (5).

Banks and Banking: Roberts, Brower, Fishbeck, McCone, Gnose, Slayton, Morris, O'Shea, Burla. (9).

Sanitary Affairs: Clay, Featherly, Clark. (3).

Judicial Districts: Smith, Jones, Taylor, Clay, Morris. (5).

Compensation: Jones, Edwards, Roberts, Hogan, Lane. (5).

Taxation: Taylor, Williams, Kinney, Larson, Hogan, O'Shea, Arnold. (7).

Senate of the State of Montana, Helena, January 8th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices were this day given:

By McCone: "A Bill for an Act to amend Chapter 73, Laws of the Thirteenth Legislative Assembly, and Chapter 65, Laws of the Fourteenth Legislative Assembly; that the license tax on motor vehicles shall be \$4.00 each; half of which shall be paid to the State and half to the road fund of the county wherein the owner of the motor vehicle resides, the proceeds of which are to be paid into the State Treasury."

By Annin: "An Act to amend Section 11 of Chapter 50 of the Session Laws of the Thirteenth Legislative Assembly relative to the establishment of a Board of Examiners for nurses and providing for the issuance of a license or certificate of registration to persons engaged in the profession of nursing the sick."

By Oliver: "An Act to amend Section ten (10) of Chapter 122 of the Laws of the Fourteenth Legislative Assembly relating to the registration of electors."

By Oliver: "An Act providing for the changing of boundary lines of counties."

By Oliver: "An Act providing for the submission to the qualified electors of the State of Montana of a constitutional amendment relating to the creation of county commissioners' districts and defining the manner of their election."

By Smith: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article XII of the Constitution of the State of Montana relating to exemptions from taxation."

By Edwards: "An Act to require the establishment, maintenance and operation of a public market house or market space at the county seats of the counties of Gallatin, Park, Sweet Grass, Stillwater, Yellowstone, Carbon, Big Horn, Rosebud, Custer, Fallon, Prairie, Dawson, Wibaux, Richland, Sheridan, Valley, Phillips, Blaine, Hill, Chouteau, Fergus, Musselshell, Meagher, Toole and Teton, and to permit the establishment, maintenance and operation thereof at the county seats of the other counties of the State of Montana, providing for the supervision and control thereof, and for the acquiring of property for the purpose of carrying out the provisions of this Act, and penalties for the violation thereof."

By Meadors: "An Act to provide for the organization of special road districts in the several counties of the State, to provide for the election and appointment of directors and other officers for special road districts, prescribing their duties and regulating the government thereof, and to provide for the levy of taxes in special road districts and the disbursements of the special road district fund."

By Jones: "An Act to amend Section 3032 of the Montana Revised Codes of 1907, enumerating the instruments to be recorded by the county clerk and re-

corder, and the manner of recording the same, and providing for the validation of certain instruments heretofore recorded."

By Jones: "An Act to amend Section 9029 of the Revised Codes of Montana, 1907, relating to the time within which an indictment for crime may be found or an information or complaint filed; and providing for excepting time during which the defendant is outside the State."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate of the State of Montana, January 8, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times and referred as follows:

Senate Bill No. 4, introduced by Edwards: "A Bill for an Act requiring an oath to be taken by persons testifying before Legislative Committees, and providing that false testimony given by such persons shall constitute perjury." Referred to Judiciary Committee.

Senate Bill No. 5, introduced by O'Shea: "An Act to provide for State insurance on public buildings and contents; to provide for the valuation thereof; to provide for the duties of public officers in connection therewith; to provide for the levying of assessment premiums and for the payment of losses; to prevent any other manner of insuring public property, and to provide penalties for the violation of this Act." Referred to Committee on Insurance.

Senate Bill No. 6, introduced by Lane: "An Act to amend Sections 302 and 303 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly, 1913; and Section 3195, Revised Codes, 1907, relating to county superintendents, their duties and their expenses." Referred to Committee on Education.

Senate Bill No. 7, introduced by Lane: "An Act dividing the State into two Congressional Districts and amending Section 47, Montana Revised Codes, 1907." Referred to Committee on Apportionment and Representation.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Gould, duly seconded, the Employment Committee was instructed to notify the Cloak Room Attendants that their services were no longer desired.

On motion of McMahon, the House adjourned until 11:00 o'clock A. M. Wednesday, January 10, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## TENTH DAY

Wednesday, January 10, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Speaker Pro Tem in the Chair.

Prayer by Chaplain.

Roll called. All present except Eliel.

Blodgett of the Committee on Journal reported as follows:

Mr. Speaker: Your Committee on Journal, having read carefully the Journal of the ninth day and finding the same correct, recommend that it be approved. Report adopted.

### NOTICES OF BILLS.

By Stimpert: "An Act providing for the creation of Commissioner Districts within counties and the election of County Commissioners from such districts of the several counties of the State of Montana, and repealing all Acts and parts of Acts in conflict with the provisions of this Act."

By Belden: "An Act providing for an additional Judge of the Tenth Judicial District of the State of Montana, in and for the County of Fergus."

By Working: "An Act to amend Section 3466 of the Revised Codes of

Montana, revision of 1907, relating to the laying, surveying, platting and laying out of any city or town, or any addition to any city or town, or any townsite outside of the boundaries of any city or town, and the platting of the same into lots, blocks, squares, public parks, public playgrounds, public building sites or other public grounds, and of streets, alleys, avenues, highways and boulevards, and the dedication and filing for record and recording thereof."

By Working: "An Act to amend Section 3742 of the Revised Codes of Montana, revision of 1907, relating to surveying, platting, preparing for approval, submitting to approval, filing and certifying of plats and surveys of any city or town, or any addition to any city or town, or any townsite outside of the boundaries of any city or town, and for delivery to the city or town of such plats in cases of incorporation."

By Stimpert: "An Act rendering county liable for damages for or on account of any injury or loss to person or property caused by any defect in any bridge, public highway, road, culvert, public ground, ferry boat or public works of any kind within the county and prescribed notice to the county."

By Ashby: "An Act to amend Sections 3 and 5 of Chapter 110 of the Twelfth Legislative Assembly, entitled, 'An Act defining the term "itinerant vendors," to regulate the licensing of the same, to fix the amount of such licenses, to provide penalties for the violation of such regulation and for other purposes.'"

By Burnworth: "An Act to provide for the organization of special road districts in the several counties of the State, to provide for the election and appointment of directors, and other officers for special road districts, prescribing their duties and regulating the government thereof, and to provide for the levy of taxes in special road districts and the disbursements of the special road district fund."

By Rasmussen: "An Act to amend Chapter 141 of the Session Laws of 1915 of the State of Montana, the same being known as the General Highway Law, and relating to classification and permanent improvements of public highways."

By McQuarrie: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section Five of Article Thirteen of the Constitution of the State of Montana relating to public indebtedness."

By McQuarrie: "An Act to amend Section 2056, Revised Codes of Montana, 1907, relating to the letting of contracts for furnishing medicine and medical attendance to the sick, poor and infirm and to the inmates of county jails."

By Kemmis: "An Act to establish a normal school at Sidney, Richland County, Montana; to provide for the building and equipment thereof; and to provide for the maintenance of said normal school as a State institution."

By Rainey: "An Act to regulate the practice of barbering, the licensing of persons to carry on such practice and to insure the better education of such practitioners in the State of Montana."

## REPORTS OF STANDING COMMITTEES.

Flanigan of the Committee on House Employees reported as follows:

January 8, 1917.

Mr. Speaker: We, your Committee on House Employees, beg leave to report that we have named the following employees:

Miss Mayme Smith, Clerk; C. A. Hansen, Clerk; J. Monahan, Clerk; Hazel M. Putney, Clerk; R. Dwyer, Clerk; Mrs. I. N. Featherly, Clerk; R. E. Haislop, Clerk; J. P. Kelley, Clerk; Miss May Harrington, Clerk; Murray, Clerk. Report adopted.

Mason of the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 17, respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Committee on Printing.

Jensen of the Committee on Highways reported as follows:

January 9, 1917.

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 5, introduced by Stimpert, a Bill for an Act entitled, "An



Act relating to bridges within any city or town upon a highway crossing a natural stream separating one part from another part of any county in which such city or town is situated and providing for the construction and maintenance of such bridges and their approaches," refer same back to the House with the following recommendation: amending Section 2, line 6, by striking out the word "one-third" and substituting in lieu thereof the word "one-half." The following as above amended do pass.

Report adopted and Bill referred to Printing Committee.

Weil of the Committee on Privileges and Elections reported as follows:

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 18, introduced by Baldwin, respectfully beg leave to report as follows: We recommend that this Bill be referred to the Ways and Means Committee. Report adopted.

Weil of the Committee on Privileges and Elections reported as follows:

Mr. Speaker: The Committee on Privileges and Elections desires to report with reference to the contest from Sheridan County that they have notified Mr. Burke to appear if he so desires before the Committee on next Monday afternoon at 3 o'clock, to furnish evidence in support of his complaint. Report adopted.

### INTRODUCTION OF BILLS.

The following Bills were introduced:

H. B. No. 25, introduced by Stimpert: A Bill for an Act entitled, "An Act establishing the Board of Hail Commissioners for the State of Montana and prescribing its duties and powers."

H. B. No. 26, introduced by Stimpert: A Bill for an Act entitled, "An Act creating and dividing the State of Montana into Congressional Districts and designating the counties of the State of Montana which shall be included in and shall comprise each of said districts."

H. B. No. 27, introduced by Spain: A Bill for an Act entitled, "An Act to simplify the manner of voting for presidential electors and providing that one cross mark shall indicate a vote for all candidates for presidential elector of a political party."

H. B. No. 28, introduced by Dodds: A Bill for an Act entitled, "An Act to impose a license tax upon every person, company and corporation engaged in mining metals in the State of Montana and to provide for the enforcement thereof."

H. B. No. 29, introduced by Mason: A Bill for an Act entitled, "An Act to amend Section 1739, Revised Codes of Montana of 1907, relating to hours of labor for municipalities, mines, mills and smelters."

H. B. No. 30, introduced by Demel: A Bill for an Act entitled, "An Act to prohibit livestock from running at large in any city, town or village, and within a radius of three miles thereof, providing for the repealing of any Acts or parts of Acts in conflict herewith and providing penalty for violation of the Act."

H. B. No. 31, introduced by Demel: A Bill for an Act entitled, "An Act to amend Section 6870e of the Revised Codes of Montana enacted in Chapter 113 of the Laws of 1915, so as to avoid the necessity of taking oral testimony before securing an order for publication of summons in an action to quiet title."

H. B. No. 32, introduced by Charles Andersen: A Bill for an Act entitled, "An Act to amend Section 9, Chapter 73, of the Laws of the Thirteenth Legislative Assembly of the State of Montana, entitled an Act for the registration, identification and regulation of motor vehicles operated and driven upon public roads and highways of this State by inserting the word 'inconsistent' after the word 'resolution' in the third line of said section."

### READING OF HOUSE BILLS.

H. B. No. 25, read first and second time and referred to Committee on Insurance.

H. B. No. 26, read first and second time and referred to Committee on Apportionment and Representation.

H. B. No. 27, read first and second time and referred to Committee on Judiciary.

H. B. No. 28, read first and second time and referred to Committee on Corporations other than Municipal.

H. B. No. 29, read first and second time and referred to Committee on Labor.

H. B. No. 30, read first and second time and referred to Committee on Live Stock and Public Ranges.

H. B. No. 31, read first and second time and referred to Committee on Judiciary.

H. B. No. 32, read first and second time and referred to Committee on Highways.

### CONSIDERATION OF MESSAGES FROM SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, January 9, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Ellingson: A Bill for an Act entitled, "An Act providing for the creation of County Commissioner Districts within the counties of the State of Montana and for the election of County Commissioners from said districts."

By Jones: A Bill for an Act entitled, "An Act to amend Section 3178 of the Revised Codes of Montana, 1907, providing for the per diem and mileage of grand and trial jurors for attendance before courts of record."

By Oliver: A Bill for an Act entitled, "An Act providing for the regulation of the flow of natural gas wells."

By Larson: A Bill for an Act entitled, "An Act to amend Section 9289 of the Revised Codes of Montana, 1907, relating to evidence necessary to convict of crime of obtaining money or property by false pretense."

By Williams: A Bill for an Act entitled, "An Act authorizing and directing the Board of Railroad Commissioners of the State of Montana to establish and fix the rate of one cent per mile for the railway fare to be charged for transporting prisoners regularly sentenced to the State prison in the State of Montana to and from said State prison to any point within the State of Montana, for the purpose of conveying such prisoners to such point or from such point to be employed on public roads or other public work."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 9, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced:

S. B. No. 8, introduced by Oliver: A Bill for an Act entitled, "An Act to amend Section 10 of Chapter 122 of the Session Laws of the Fourteenth Legislative Assembly, relating to the registration of electors." Read first and second times and referred to Committee on Elections and Privileges.

S. B. No. 9, introduced by McCone: A Bill for an Act entitled, "An Act to amend Chapter 73, Laws of the Thirteenth Legislative Assembly, as amended by Chapter 65, Laws of the Fourteenth Legislative Assembly of the State of Montana; requiring a license fee of four dollars per annum upon motor vehicles, two dollars of which shall be paid to the road fund of the county wherein licensee resides, and to provide for license tags to be furnished the owners, and providing for the transfer of licenses, and specifying the duties of the Secretary of State, State Auditor and other officers in relation thereto." Read first and second times and referred to Committee on Roads, Highways and Bridges.

S. B. No. 10, introduced by Annin: A Bill for an Act entitled, "An Act to amend Section 11 of Chapter 50 of the Session Laws of the Thirteenth Legislative Assembly relative to the establishment of a Board of Examiners for nurses and providing for the issuance of a license or certificate of registration to persons engaged in the profession of nursing the sick." Read first and second times and referred to Committee on Sanitary Affairs.

S. B. No. 11, introduced by Edwards: A Bill for an Act entitled, "An Act to require the establishment, maintenance and operation of a public market house or market space at the county seats of the counties of Gallatin, Park, Sweet

Grass, Stillwater, Yellowstone, Carbon, Big Horn, Rosebud, Custer, Fallon, Prairie, Dawson, Wibaux, Richland, Sheridan, Valley, Phillips, Blaine, Hill, Chouteau, Fergus, Musselshell, Meagher, Toole and Teton; and to permit the establishment, maintenance and operation thereof at the county seats of the other counties of the State of Montana, providing for the supervision and control thereof and for the acquiring of property for the purpose of carrying out the provisions of this Act, and penalties for the violation thereof." Read first and second times and referred to the Committee on Agriculture and Manufactures.

Respectfully,

J. F. CONE, Secretary of the Senate.

The following announcement was made:

There will be a meeting of the Montana Game and Fish Commission, the Montana Game and Protective Association, and the Committee on Game and Fish, from the Senate and House, on Saturday, January 13th, at 2 o'clock P. M., at the office of the State Game Warden.

The various Committees were assigned to rooms as follows:

Committee.	Room.
Agriculture .....	2
Affairs of Cities .....	10
Apportionment and Representation .....	8
Appropriations .....	Boiler Inspector
Banks and Banking .....	8
Corporations other than Municipal .....	4
Conservation of Resources .....	2
Dairying .....	2
Development and Publicity .....	8
Education .....	2
Engrossment .....	Engrossing
Enrollment .....	Enrolling
Equal Suffrage .....	8
Fairs and Expositions .....	8
Federal Relations .....	15
Fish and Game .....	Game Warden
Highways .....	10
Horticulture .....	2
House Employees .....	Speaker
Improvements and Manufacturing .....	10
Insurance .....	15
Internal Improvements .....	10
Irrigation and Water Rights .....	4
Journal .....	
Judiciary .....	11
Labor .....	6
Libraries .....	10
Livestock and Public Ranges .....	Board of Stock Commissioners
Military Affairs .....	10
Mines and Mining .....	5
New Counties and Divisions .....	10
Printing .....	Printing
Privileges and Elections .....	8
Public Morals, Charities and Reforms .....	10
Public Utilities and State Commissions .....	8
Railroads and Transportation .....	5
Rules, Joint Rules and Order of Business .....	5
Sanitary Affairs .....	10
State Boards and Officers .....	10
State Institutions, Public Buildings and Grounds .....	8
State Lands .....	4
Townships and Counties .....	4
Waterways and Navigation .....	4
Ways and Means .....	12

Higgins: I move that all Bills carrying an appropriation must be referred to Committee on Appropriations before final passage. Motion carried.

On motion of Lemmon, House adjourned until 11:00 A. M. Thursday, January 11, 1917.

J. F. O'CONNOR, Speaker.  
C. H. TREACY, Chief Clerk.

## ELEVENTH DAY

Thursday, January 11, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called and all members found present except Eliel.

Blodgett of the Committee on Journal reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that we have examined the Journal of the Tenth day and recommend that the same be approved. Report adopted.

### COMMUNICATIONS AND PETITIONS.

The following communication was received from the Montana Good Government Club:

Helena, Montana, January 10, 1917.

The Montana Good Government Club wishes to extend an invitation to all Representatives and their wives to attend the banquet to be given in the Rose Room of the Eddy Cafe at 6 o'clock P. M. on Friday, January 12th. The service will be one dollar a plate.

On motion of Bernard, duly seconded, the invitation was accepted.

The following communication was received from Thos. W. Grimes:

Mr. Speaker: I hereby tender my withdrawal from the Committee on Highways and ask that Mr. Page of Granite be given the place on the Committee. Communication accepted.

### NOTICES OF BILLS.

By Murray: "An Act to provide for financial aid in the care of dependent children in their own homes under the direct control of the mothers of such children, whose fathers are dead or inmates of some Montana State institution of charity or correction, or who are physically or mentally unable to work, or who have for a period of two years or more failed to provide for said children, and whose mothers are wholly dependent upon their labor for support."

By Murray: A Bill for an Act entitled, "An Act to make each and every Saturday of the year after 12 o'clock noon, beginning with the first Saturday in May and ending with the last Saturday in September, a legal half holiday for State, County, City and Township officers."

By Murray: "An Act authorizing the breeding and sale of wild animals or birds raised in captivity, and providing for a system of tags or seals and a license in connection therewith."

By Connolly: "An Act to amend Section 79 of Chapter 1 of the Laws of the Fourteenth Legislative Assembly of the State of Montana, 1915, providing for salaries of Legislative Officers."

By Kemmis: "A Resolution memorializing Congress to relinquish and cease to exercise its jurisdiction over the Missouri and Yellowstone rivers in the State of Montana."

By Hawks: "An Act providing for the inspection of refined petroleum, illuminating oils, gasoline and others; low flash test petroleum products, providing for the ports of entry, appointment of a State inspector of oils and deputies, fixing the salaries of the same and defining chemical and other tests."

By Bernard: "An Act to protect bears, and forbidding the use of traps in their pursuit."



By Bernard: "An Act to regulate the driving, storage and handling of saw logs and other timber products on the small navigable streams of the State."

By Holt: "An Act to prohibit constables from practicing law, performing legal duties, taking claims for collection, or participating in proceedings or cases in any courts of the State of Montana."

By Holt: "An Act providing for the bonding of collection agencies."

By Jones: "A Bill for an Act repealing Section 9290 of the Revised Codes of Montana, 1907."

By Farmer: "An Act to amend Section 3114 of the Revised Codes of 1907."

By Demel: "An Act to amend Section 5177 of the Revised Codes of Montana, 1907, relating to defrauding the owner of an inn or hotel, owner of cafe, apartment, rooming or boarding house and providing penalty for violation thereof."

By Baldwin: "An Act providing for the payment of taxes before transfer and record and providing a penalty for non-conformance."

By Cotter: "An Act to amend Section 9289 of the Revised Codes of the State of Montana, 1907, relating to the evidence necessary to convict of the crime of obtaining money or property by false pretense."

#### REPORTS OF STANDING COMMITTEES.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Printing Committee, beg leave to report that House Bills numbered 5 and 17 have this day been returned from the printer, correctly printed. Report adopted.

Murray, from the Committee on Labor, reported as follows:

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 15, introduced by Gould, being a Bill for an Act regulating and limiting the hours of employment for female employees; governing the conditions under which female employees shall work; providing penalties for violation thereof, and repealing Chapter 108 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, entitled, "An Act regulating and limiting the hours of employment for female employees and governing the conditions under which female employees shall work in certain industries, and providing penalties for violation thereof, approved March 15, 1913," respectfully beg leave to report the Bill back to the House with the recommendation that it do not pass. Report adopted.

Gould: I move that the report of the Committee on Labor be rejected and that House Bill No. 15 be printed. Motion lost.

Murray, from the Committee on Labor, reported as follows:

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 11, introduced by Bent, being a Bill for an Act entitled, "An Act regulating and limiting the hours of employment for female employees and governing the conditions under which female employees shall work in certain industries, and providing penalties for violation thereof," respectfully beg leave to report this Bill back to the House with the recommendation that it do not pass. Report adopted.

Murray, from the Committee on Labor, reported as follows:

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 4, introduced by Murray, also House Bill No. 6, introduced by Page, wish to report that we will have a public hearing on Tuesday, January 16th, immediately after adjournment of the House. Report adopted.

Flanigan of the Committee on House Employees reported as follows:

Mr. Speaker: We, your Committee on House Employees, beg leave to report that Mr. Deibel, Chairman of the Committee on State Institutions and Grounds, has requested that the name of Miss Gertrude Nason be replaced by Miss Mable Lamertine for the position of stenographer and clerk of his Committee.

The Committee wishes to know the pleasure of the members of the House. Report adopted.

Flanigan, from the Committee on House Employees, reported as follows:

Mr. Speaker: We, your Committee on House Employees, beg leave to report that we have named the following employees:

Florence Driscoll, Clerk. Request of McMahon, Chairman of Mines and Mining and Joint Rules.

Miss Emma Duffy, Clerk. Request of Joe Duffy, Chairman of Federal Relations.

Miss Charlotte McAuley, Clerk. Request of Andrews, Chairman of Affairs of Cities.

Miss Young, Clerk. Request of Weil, Chairman of Privileges and Elections.

Miss Ester Baker. Request of Hurd, Chairman of Printing.

Mrs. Charlotte Burgess. Request of Gould, Chairman of Improvements and Manufacturing.

Miss Flossie Goggins. Request of Dr. Ironside, Chairman of State Boards and Officers.

Agnes Sherman. Request of Connolly, Chairman of Engrossing.

Ella Oppel. Request of Hathaway, Chairman of Public Morals.

Miss Margaret Haggerty. Request of Murray, Chairman of Labor.

Alice Bennett. Request of Larse, Chairman of Railroads and Transportation.

Julia Orcott. Request of Davis, Chairman of Agriculture.

Miss Josie Murphy. Request of Ward and Dr. Husser, Chairmen of Libraries and Sanitation.

Lucy B. White. Request of Searles, Chairman of Fish and Game.

Geo. Murphy. Request of Flanagan, Chairman of Fish and Game.

Higgins: I move that the report of the Committee on House Employees be laid upon the table. Motion lost and report adopted.

### INTRODUCTION OF BILLS.

H. B. No. 33, introduced by Farmer: A Bill for an Act entitled, "An Act to amend Sections 1643 and 1655 of the Revised Codes of 1907, as the same were amended by Chapter 30, Sections 5 and 13 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the inspection and operation of steam boilers within the State of Montana and including the examination and licensing of engineers therefor."

H. B. No. 34, introduced by Stimpert: A Bill for an Act entitled, "An Act rendering county liable for damages for or on account of any injury or loss to person or property caused by any defect in any bridge, public highway, road, culvert, public ground, ferry boat or public works of any kind within the county and prescribed notice to the county."

H. B. No. 35, introduced by Rainey: A Bill for an Act entitled, "An Act to regulate the practice of barbering, the licensing of persons to carry on such practice and to insure the better education of such practitioners in the State of Montana."

H. B. No. 36, introduced by Harbert: A Bill for an Act entitled, "An Act to amend Sections 12 and 21 of Chapter 57 of the Session Laws of Montana of 1911, relating to commission form of government for cities, providing for the election of officers therein, defining their duties and powers, and providing for their compensation."

H. B. No. 37, introduced by Demel: A Bill for an Act entitled, "An Act to amend Section 7724 of the Revised Codes of Montana, and providing for the payment of an inheritance tax upon real property, as well as personal property, when the same passes to direct heirs."

H. B. No. 38, introduced by Jones: A Bill for an Act entitled, "An Act to require railway companies or corporations to report delayed trains, prescribing the method thereof and providing penalties; repealing Sections 4345, 4346, 4347 and 4348 of the Revised Codes of the State of Montana, and Chapter 105, Session Laws of the Eleventh Legislative Assembly, entitled, 'An Act to require railway corporations, operators, agents or persons in charge of railroad, telegraph or telephone stations to report delayed trains, prescribing the method thereof, and providing penalties.'"

H. B. No. 39, introduced by Fishbaugh: A Bill for an Act entitled, "An Act providing for the calling of a grand jury and providing a penalty for failure of a judge to call the same within ten (10) days."

H. B. No. 40, introduced by McQuarrie: A Bill for an Act for the submission to the qualified electors of the State of Montana of an amendment to Section V of Article XIII of the Constitution of the State of Montana, relating to public indebtedness.

H. B. No. 41, introduced by Burnworth: "An Act to provide for the organization of special road districts in the several counties of the State, to provide for the election and appointment of directors and other officers for special road districts, prescribing their duties and regulating the government thereof, and to provide for the levy of taxes in special road districts and the disbursements of the special road district fund."

H. B. No. 42, introduced by McQuarrie: A Bill for an Act to amend Section 2056, Revised Codes of Montana, 1907, relating to the furnishing of medicine or medical attendance to the sick, poor and infirm of the county, and to inmates of county jails.

#### READING OF HOUSE BILLS.

H. B. No. 33, read first and second times and referred to Committee on Labor.

H. B. No. 34, read first and second times and referred to Committee on Highways.

H. B. No. 35, read first and second times and referred to Committee on Labor.

H. B. No. 36, read first and second times and referred to Committee on Affairs of Cities.

H. B. No. 37, read first and second times and referred to Judiciary Committee.

H. B. No. 38, read first and second times and referred to Committee on Railroads and Transportation.

H. B. No. 39, read first and second times and referred to Judiciary Committee.

H. B. No. 40, read first and second times and referred to Judiciary Committee.

H. B. No. 41, read first and second times and referred to Committee on Highways.

H. B. No. 42, read first and second times and referred to Committee on Townships and Counties.

#### MOTIONS AND RESOLUTIONS.

Gould: I move that House Bill No. 15 be printed. Motion lost.

Duffy: To add to the appreciation of what the West owed him, I hereby move that a Committee of five be appointed to draft suitable resolutions on the death of the "Idol of the Plains," Col. William F. Cody (Buffalo Bill), and that a copy of the same be sent to the relatives of the deceased and two copies placed with the Montana Historical Society. Motion carried.

Bernard: I move that the expense of folding and punching the proceedings of the Assembly be authorized.

On motion, referred to Special Committee on Printing.

The following Resolution was submitted by White:

House of Representatives, Helena, Montana, January 11, 1917.

WHEREAS, The Fifteenth Legislative Assembly is confronted with the imperative necessity of raising additional revenue to meet the growing needs of State Government, and

WHEREAS, Intelligent action should be predicated upon full and accurate information on the subject; now, therefore,

BE IT RESOLVED, That a Committee of five members of the House be appointed by the Speaker to inquire into and report to the House, concerning the assessable property and taxes of all mining companies, power companies, lighting companies, banks and trust companies, express companies, telephone and telegraph companies, railroad companies, including all improvements belonging to such companies, and all other classes and forms of property. That said Committee inquire into the profits of banks and other corporations doing business in the State, and be it further

RESOLVED, That said Committee be and is hereby authorized and empow-

ered to summon witnesses and require the production of books, papers and records concerning said matters of inquiry. Said Committee to make diligent inquiry and report to the House not later than the fortieth day of the present session. Resolution adopted.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE.

The following communication was received from His Excellency, the Governor:

Executive Office, January 11, 1907.

To the Members of the House of Representatives of the Fifteenth Legislative Assembly, Helena, Montana.

Ladies and Gentlemen: I have the honor to acknowledge receipt of House Resolution No. 1, introduced by Kemmis, and recently passed by your body.

I am glad to observe the spirit of co-operation evidenced by this Resolution, and I assure you that it is my purpose to work in harmony with both branches of the Legislative Assembly.

It will be my pleasure from time to time to give to the Assembly such information and suggestions as may be deemed expedient. In the meantime I assure you that I stand ready to meet with the members and Committees of your honorable body and discuss with them the various measures pending or contemplated.

Very truly yours,

S. V. STEWART, Governor.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, January 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Rules submitted Rules numbered one to forty for the government of the procedure of the Senate of the Fifteenth Legislative Assembly, and the same were this day adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 10th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times and referred as follows:

S. B. No. 12, by Oliver: A Bill for an Act entitled, "An Act to provide for the change of county boundary lines." Committee on Counties and Towns.

S. B. No. 13, by Smith: A Bill for an Act entitled, "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article XII of the Constitution of the State of Montana, relating to exemptions from taxation." Committee on Taxation.

S. B. No. 14, by Slayton: A Bill for an Act entitled, "An Act to empower County Commissioners to view public highways and to recompense them for said services." Judiciary Committee.

S. B. No. 15, by Larson: A Bill for an Act entitled, "An Act to amend Section 9289 of the Revised Codes of Montana, 1907, relating to evidence necessary to convict of crime of obtaining money or property by false pretense." Judiciary Committee.

S. B. No. 16, by O'Shea and Morris: A Bill for an Act entitled, "An Act to create a State Board of Hail Insurance; defining the duties and powers of said Board and of public officers in connection therewith; providing for the levy and collection of taxes on all lands subject to injury or destruction by hail of all taxpayers who may elect to become subject to the provisions of this Act; providing for a hail insurance fund; providing for the appointment of appraisers, the appraisal and adjustment of losses, and the settlement therefor; and repealing all Acts which may in any way conflict with this Act." Referred to Committee on Insurance.

S. B. No. 17, by O'Shea: A Bill for an Act entitled, "An Act to combine the offices of State Inspector of Boilers, State Inspector of Mines and State Coal Mine Inspector, and placing all of said officers under the supervision of the Industrial Accident Board; fixing the salaries thereof and defining their duties and powers; and amending Section 55a and 55b, Chapter 96, of the Fourteenth Legis-



lative Assembly, being an Act known as the Workmen's Compensation Act." Referred to Committee on Compensation.

S. B. No. 18, by Jones: A Bill for an Act entitled, "An Act to amend Section 3178 of the Revised Codes of Montana, 1907, and providing for the per diem and mileage of grand and trial jurors for attendance before courts of record." Referred to Judiciary Committee.

S. B. No. 19, by Burlingame: A Bill for an Act entitled, "An Act providing for service of process and notices upon domestic and foreign corporations, and to repeal Chapter 22 of the Laws of 1915." Referred to Committee on Corporations other than Municipal.

S. B. No. 20, by Edwards: A Bill for an Act entitled, "An Act to provide for the issuance by the State of Montana of official bonds for all public officials, elective and appointive, of the State and of each and every political subdivision thereof; to provide for the creation of a State Board of Official Bonds; to provide for the duties of public officers in connection therewith; to provide for the premiums on such official bonds and for the adjustment and settlement of liabilities incurred thereby; and to prevent any other manner of bonding public officials." Referred to Judiciary Committee.

S. B. No. 21, by Morris: A Bill for an Act entitled, "An Act providing for the creation of herd districts; prescribing the manner of the creation thereof; and prohibiting the running of livestock at large therein; providing for fencing said districts and the erection and maintenance thereof, and providing a penalty for the violation of same." Referred to Committee on Stock Growing.

S. B. No. 22, by Williams: A Bill for an Act entitled, "An Act authorizing and directing the Board of Railroad Commissioners of the State of Montana to establish and fix the rate of one cent per mile for the railway fare to be charged for transporting prisoners regularly sentenced to the State prison in the State of Montana to and from said State prison to any point within the State of Montana, for the purpose of conveying such prisoners to such point or from such point to be employed on public roads or other public work." Referred to Committee on Railroads.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that upon motion the following Resolution was adopted:

RESOLVED, That a Committee be appointed by the Committee on Committees, with full power to ascertain, for the information of the Senate, the following:

The assessed valuation and tax paid by all mines and mining industries.

The assessed valuation of hydro-electric power companies and lighting companies.

The assessed valuation of all improvements of railroad companies.

The assessed valuation of telephone and telegraph companies.

The assessed valuation of all express companies.

The assessed valuation of all banks.

And any other information which they, the Committee, may deem essential for the information of this Senate.

KANE.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 10th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Roberts: A Bill for an Act entitled, "An Act to permit commercial banks, incorporated, organized and existing under the laws of the State of Montana to establish branches."

By Brower: A Bill for an Act entitled, "An Act to amend Chapter 73 of the Thirteenth Legislative Assembly as amended by Chapter 65 of the Laws of the Fourteenth Assembly of the State of Montana relating to the legislation, identification and regulation of motor vehicles, by amending Section 3 of Chapter 65, so as to regulate the size and character of identification marks and number

plates for motor vehicles; providing for the sale of plates; fees for same, by amending Sub-section 3 of Section 11 providing for the transfer of moneys collected."

By Morris: A Bill for an Act entitled, "An Act to cede jurisdiction to the United States over that part of the Yellowstone National Park in the State of Montana, and for other purposes."

By Burla: A Bill for an Act entitled, "An Act to amend Section 9006 of the 1907 Revised Codes of Montana having to do with the removal of public officers by summary proceedings."

By Stevens: A Bill for an Act entitled, "An Act to require railroad or railway companies to cooper box cars placed for loading grain or other commodities subject to loss by leakage, and providing a penalty for non-compliance with the provisions of this Act."

By Williams: A Bill for an Act entitled, "An Act defining the duties of Boards of County Commissioners relating to the purchasing of supplies for their respective counties."

By Clark: A Bill for an Act entitled, "An Act providing for the manner, time and place of issuing bills of lading, and the manner, time and place of delivery of bills of lading by railway companies at stations where station agents are not provided, and providing a penalty for the violation thereof."

By Annin: A Bill for an Act entitled, "An Act to amend Section 12 of Chapter 134 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, being 'An Act to regulate the practice of pharmacy and regulating the manufacture and sale of drugs and medicines in the State of Montana, and providing penalties for the violation of this Act.'"

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Jensen, House reverted to Second Order of Business.

#### NOTICE OF BILL.

By Jensen: "An Act to provide means whereby the State of Montana, through the Montana State Highway Commission, may obtain the benefits of the Act of Congress, approved July 11, 1916 (39 Stat. L. 355)."

On motion of Andersen of Fergus, House reverted to Sixth Order of Business.

#### MOTIONS AND RESOLUTIONS.

Andersen: I move that the Special Tax Committee of the Senate be invited to meet in joint session with the Special Tax Committee of the House, to be appointed by Mr. Speaker in pursuance of resolution by White. Motion carried.

Blodgett: I move that the clerks assigned to the various Committees be instructed by the Chief Clerk that it is their duty, when not engaged in the work of said Committee, to do any clerical work that may be desired by the individual members of the House or of the Committee or Committees to which they are assigned. Motion carried.

Murray: I move that the House recess until 1:25 P. M.

On substitute motion of Baker, the House adjourned until 11:00 o'clock A. M. Friday, January 12, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

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## TWELFTH DAY

Friday, January 12, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called and all members present except Eliel.

Blodgett, from the Committee on Journal, reported as follows:

Mr. Speaker: We, your Committee on Journal, having read the Journal of the eleventh day and finding the same correct, beg to recommend that it be approved. Report adopted.

Andersen of Fergus: I move that representatives of newspapers be given the privileges of the press gallery, but not of the floor of the House.

On motion of Blake, the motion of Andersen was laid upon the table.

On motion of Andersen of Fergus, the Sergeant-at-Arms was authorized to keep the rear of the House clear of persons who have no authority to be there.

### COMMUNICATIONS AND PETITIONS.

The following communications were received:

Helena, Montana, January 12, 1917.

Mr. Speaker: The Committee on Arrangements of the Good Government Club, who have extended an invitation to the members of the House and their wives to attend a dinner at the Rose Room of the Eddy Cafe this evening at 6:00, respectfully requests that members who expect to attend notify the Sergeant-at-Arms, at the close of the session, in order that adequate preparation may be made.

St. Paul, Minn., Jan. 11, 1917.

### 2UN ON 35 NL

Speaker of the House, Helena, Montana:

Saint Paul people realize vital importance of proper location to success of proposed terminal elevators. We are ready to submit statement for St. Paul. Can you set a date for conference with your Committees? St. Paul wants you.

(Signed) ST. PAUL ASSN. OF COMMERCE.

12th 9:55 A. M.

### REPORTS OF STANDING COMMITTEES.

Mason of the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bills as follows: No. 12, by Bernard, entitled, "A Bill for an Act to amend Section 112 of the Political Code of the State of Montana, relating to Representatives from the several counties of the State in the following manner"; House Bill No. 13, by Bernard, entitled, "An Act to amend Section 546 of the Revised Codes of 1907, relating to ballots and voting and providing for the furnishing of official ballots and sample ballots by the county clerk at general elections held in the State"; House Bill No. 14, by Stimpert, entitled, "An Act to provide for dividing counties into County Commissioner Districts, providing for one County Commissioner from each district; providing for the changing and equalizing of County Commissioner districts, and amending Sections 2881 and 2882 of the Revised Codes of Montana of 1907," and House Bill No. 30, by Fishbaugh, entitled, "An Act providing for the calling of a grand jury and providing a penalty for the failure of a judge to call the same within ten (10) days," respectfully beg leave to report as follows: That they be reported back to the House with the recommendation that they do not pass. Report adopted.

Demel of the Committee on Printing of Proceedings reported as follows:

Mr. Speaker: Your Special Committee on Printing Journal beg leave to report that C. Z. Pond will perforate and fold daily Journals at the rate of 50c per 100. Committee recommends that the report be adopted. Report adopted.

Mason of the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 31, by Demel, entitled, "An Act to amend Section 6870-e of the Revised Codes of Montana, enacted in Chapter 113 of the Laws of 1915, so as to avoid the necessity of taking oral testimony before securing an order for publication of summons in an action to quiet title," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Morris of the Committee on Livestock and Public Ranges reported as follows:

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 30, introduced by Demel, being a Bill

for an Act entitled, "An Act to prohibit livestock from running at large in any city, town or village, and within a radius of three miles thereof; providing for the repealing of any Acts or parts of Acts in conflict herewith, and providing for penalty for violation of the Act," respectfully beg leave to report as follows: That this Bill do not pass. Report adopted.

Murray of the Committee on Labor reported as follows:

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 20, introduced by Demel, being a Bill for an Act entitled, "An Act to prohibit the issuance of non-negotiable acknowledgments of indebtedness in payment for wages due employees, providing how acknowledgments of such indebtedness shall be paid, fixing the time when certain wages shall become due and providing for the collection of attorneys' fees in action to recover wages," beg leave to report same back with the recommendation that same be amended as follows: To strike out balance of Section 2, after the word "ceases" and insert period. To strike out all of Section 33 after the word "action," and as amended the Bill do pass.

Report adopted and Bill referred to Printing Committee.

#### NOTICES OF BILLS.

By Demel: "An Act changing and defining the boundaries of Yellowstone and Stillwater Counties."

By Holt: "An Act to amend Section 6698 of the Revised Codes of Montana of 1907, relating to the appointment of a receiver."

By Murray: "An Act to amend Section 3246 of the Revised Codes of Montana of 1907, relating to salary of clerk."

By Harbert: "A House Joint Memorial petitioning the Congress of the United States for a biological survey of Flathead, Whitefish and Swan Lakes."

By Duffy: "An Act to provide for a uniform traffic regulation in cities and towns throughout the State for all electric and motor driven vehicles. To further provide for dimmers on lights on all electric and motor driven vehicles and to provide a penalty for the promiscuous throwing of glass and broken bottles on the roads and highways of the State, and to make the theft of all electric or motor driven vehicles a felony."

By Higgins: "An Act to amend Section 1 of Chapter 86 of the Laws of the Eleventh Legislative Assembly, 1909, entitled, 'An Act to provide for the appointment by the State Board of Examiners of a State Accountant, to examine the books and financial affairs of State institutions, defining his duties and fixing his salary,' approved March 5, 1909."

By Working: "An Act to authorize and empower any city or town organized under the laws of Montana to receive and take, by gift, grant, devise, or bequest, any property, real, personal or mixed, or any improved or unimproved parks or playgrounds, or any water or water rights, water reservoirs or water sheds, or any timber land or reserves, or any fish or game reserves, in any part of the State, and to own, hold, work and improve the same; and to authorize any person, company, co-partnership or corporation to make gifts, donations, grants, devises or bequests of any kind of property to any such city or town."

By Baxter: "An Act to amend Section XXV of Chapter 147 of the Laws of the Eleventh Legislative Assembly, 1909, 'An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof and the management, protection and disposition of the timber growing thereon and the coal, oil and minerals therein; providing for the management and control of the funds realized from the sale and rental of State lands and the products thereof; naming and providing for certain officers subordinate to the State Board of Land Commissioners and prescribing their duties and compensation; providing for the acquisition of water rights for use upon State lands; defining and providing for the punishment of certain offenses for violating the provisions of this Act.'"

By Bernard: "An Act to prohibit the driving, placing or imbedding of spikes, nails or other metallic substances, stone or rock, in saw logs intended for manufacture into lumber or other timber products, and prescribing the penalty therefor."



By Kemmis: "An Act to consolidate the clerkships of the Board of Commissioners for the Insane and the State Board of Examiners, and providing for the appointment of clerks to said Boards and fixing their compensation."

### INTRODUCTION OF BILLS.

H. B. No. 43, introduced by Connolly: "An Act to amend Section 79 of Chapter 1 of the Laws of the Fourteenth Legislative Assembly of the State of Montana, 1915, providing for salaries of Legislative officers."

H. B. No. 44, introduced by Murray: "An Act to make each and every Saturday of the year after 12 o'clock noon, beginning with the first Saturday in May and ending with the last Saturday in September, a legal half holiday for State, County, City and Township officers."

H. B. No. 45, introduced by Phelps: "An Act providing for the creation of herd districts; prescribing the manner of the creation thereof and prohibiting the running of livestock at large therein, and providing a penalty for the violation of same."

H. B. No. 46, introduced by Murray: "An Act to provide for financial aid in the care of dependent children in their own homes under the direct control of the mothers of such children, whose fathers are dead or inmates of some Montana State institution of charity or correction or who are physically or mentally unable to work, or who have for a period of two years or more failed to provide for said children, and whose mothers are wholly dependent upon their labor for support."

H. B. No. 47, by Cotter: "An Act to amend Section 9289 of the Revised Codes of the State of Montana, 1907, relating to the evidence necessary to convict of the crime of obtaining money or property by false pretenses."

H. B. No. 48, by Stimpert: "An Act providing for the creation of Commissioner Districts within counties and the election of County Commissioners from such districts of the several counties in the State of Montana, and repealing all Acts and parts of Acts in conflict with the provisions of this Act."

H. B. No. 49, by Demel: "An Act to amend Section 5177, Revised Codes of Montana, 1907, relating to defrauding the owner of an inn or hotel, owner of cafe, restaurant, apartment, rooming or boarding house, and providing penalty for the violation thereof."

H. B. No. 50, introduced by Farmer: "An Act to amend Section 3114 of the Revised Codes of 1907."

H. B. No. 51, introduced by Jensen: "An Act to provide means whereby the State of Montana, through the Montana State Highway Commission, may obtain the benefits of the Act of Congress, approved July 11th, 1916. (39 Stat. L 355)."

H. B. No. 52, introduced by Bernard: "An Act to protect bears, and forbidding the use of traps in their pursuit."

H. B. No. 53, introduced by Bernard: "An Act to regulate the driving, storage and handling of saw logs and other timber products on the small navigable streams of this State."

H. B. No. 54, introduced by Holt: "An Act to prohibit constables from practicing law, performing legal duties, taking claims for collection or participating in proceedings or cases in any courts of the State of Montana."

H. J. M. No. 3, introduced by Kemmis: "A Resolution memorializing Congress to relinquish and cease to exercise its jurisdiction over the Missouri and Yellowstone rivers in the State of Montana."

### READING OF BILLS.

H. B. No. 43, read first and second times and referred to Committee on Judiciary.

H. B. No. 44, read first and second times and referred to Committee on Judiciary.

H. B. No. 45, read first and second times and referred to Committee on Livestock and Public Ranges.

H. B. No. 46, read first and second times and referred to Committee on State Institutions.

H. B. No. 47, read first and second times and referred to Committee on Judiciary.

H. B. No. 48, read first and second times and referred to Committee on Judiciary.

H. B. No. 49, read first and second times and referred to Committee on Judiciary.

H. B. No. 50, read first and second times and referred to Committee on Judiciary.

H. B. No. 51, read first and second times and referred to Committee on Highways.

H. B. No. 52, read first and second times and referred to Committee on Fish and Game.

H. B. No. 53, read first and second times and referred to Committee on Waterways and Navigation.

H. B. No. 54, read first and second times and referred to Committee on Judiciary.

H. J. M. No. 3, read first and second times at length and referred to Committee on Waterways and Navigation.

### MOTIONS AND RESOLUTIONS.

On motion of White, Resolution of yesterday pertaining to the appointment of a Tax Committee, was reconsidered.

On motion of White, the following substitute Resolution was offered:

House of Representatives, Helena, Montana, January 12, 1917.

WHEREAS, The Fifteenth Legislative Assembly is confronted with the imperative necessity of raising additional revenue to meet the growing needs of State government, and

WHEREAS, Intelligent action should be predicated upon full and accurate information on the subject; now, therefore,

BE IT RESOLVED, That a Committee of five members of the House be appointed by the Speaker to inquire into and report to the House concerning the assessed valuation and tax paid on assessable property of all mines and mining industries, hydro-electric and power companies, lighting companies, express companies, telephone and telegraph companies, railroad companies, and sleeping car companies, including all improvements belonging to such companies.

RESOLVED, That said Committee be and is hereby authorized and empowered to summon witnesses and require the production of books, papers and records concerning said matter of inquiry. Said Committee to make diligent inquiry and report to the House not later than the twenty-fifth day of the present session.

McMahon: I move to amend the Resolution as follows: That the words "and all other property" be added after the words "such companies."

Roll call being demanded, resulted as follows:

Ayes: Andrew, Ashby, Ball, Baxter, Blake, Blodgett, Brooks, Buchanan, Connolly, Crowley, Duffy, Farmer, Grimes, Ironside, Jensen, Johnson of Deer Lodge, Lemmon, McMahon, Morris, Murray, O'Brien, Page, Prosser, Rainey, Searles, Shaw, Ward, Weil and Wheat—29.

Noes: Andersen (Chas.), Anderson (Oscar W.), Arneson, Baldwin, Bent, Bernard, Booth, Buell of Missoula, Buell of Gallatin, Burnworth, Clark, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Eaton, Fishbaugh, Fuller, Gould, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morrow, Phelps, Quintance, Rasmussen, Sand, Scott, Sektnan, Spain, Stimpert, White, Working and Mr. Speaker—60.

Absent and not voting: Belden, Carll, Eliel, Flanigan, Griffin, Henderson—6.

Amendment being lost, on motion, the original substitute Resolution was adopted as presented.

## CONSIDERATION OF MESSAGES FROM SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, January 11th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Railroads, to whom was referred Senate Bill No. 22, being a Bill for an Act entitled, "An Act authorizing and directing the Board of Railroad Commissioners of the State of Montana to establish and fix the rate of one cent per mile for the railway fare to be charged for transporting prisoners regularly sentenced to the State prison in the State of Montana, to and from said State prison to any point within the State of Montana, for the purpose of conveying such prisoners to such point or from such point to be employed on public roads or other public work," today reported the Bill with the recommendation that it do pass.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 11th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times and referred as follows:

S. B. No. 23, introduced by Annin: A Bill for an Act entitled, "An Act to amend Section 12 of Chapter 134 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, being 'An Act to regulate the practice of pharmacy and regulating the manufacture and sale of drugs and medicines in the State of Montana, and providing penalties for the violation of this Act.'" Referred to Committee on Sanitary Affairs.

S. B. No. 24, introduced by Roberts: A Bill for an Act entitled, "An Act to permit commercial banks incorporated, organized and existing under the laws of the State of Montana, to establish branches." Referred to Committee on Banks and Banking.

S. B. No. 25, introduced by Ellingson: A Bill for an Act entitled, "An Act providing for the creation of Commissioner Districts within counties and the election of County Commissioners from such districts of the several counties of the State of Montana, and repealing all Acts and parts of Acts in conflict with the provisions of this Act." Referred to Committee on Judiciary.

S. B. No. 26, introduced by Williams: A Bill for an Act entitled, "An Act defining the duties of Boards of County Commissioners relating to the purchasing of supplies for their respective counties." Referred to Judiciary Committee.

S. B. No. 27, introduced by Clark: A Bill for an Act entitled, "An Act providing for the manner, time and place of issuing bills of lading, and the manner, time and place of delivery of bills of lading by railway companies at stations where station agents are not provided; and providing a penalty for the violation thereof." Referred to Committee on Railroads.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 11, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Committees under the provisions of the Resolution introduced by Senator Kane yesterday reported the following members: Kane, Dwight and Hogan.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 11, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator O'Shea, the Resolution of Senator Kane, as of date of January 10th, was enlarged in scope to include sleeping car companies,

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 11th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Burla: "An Act for the submission to the qualified electors of the State

of Montana of an amendment to Section 1 and Section 2 of Article XVII of the Constitution of the State of Montana, relating to the classification and sale of public lands."

By Burla: "An Act to amend Section 26 and Section 29 of Chapter 147 of the Session Laws of 1909, relating to the classification and sale of public lands."

By Oliver: "An Act in relation to the release of record of oil, gas and other mineral releases, providing civil remedies in connection therewith."

By Burla: "An Act to amend Section One of Chapter Fourteen of the Session Laws of 1915, relating to indeterminate sentencing of persons convicted of crime."

By Haley: "An Act to repeal Chapter 95 of the Laws of the Fourteenth Legislative Assembly, entitled, "An Act creating certain funds in the State Treasury to provide for retirement of public school teachers; providing for the creation of these funds, and appropriations; providing for the custody and management of these funds; providing for the collection, condition of investment and condition of distribution of the funds; providing for the creation of boards to have charge of the funds; and prescribing the duties and powers of such boards; providing for place of meeting of such board; providing for help and expenditures for such board in meeting and carrying out the provisions of this Act; providing conditions under which teachers may receive distributions of these funds, including the amount of time and term of payment."

By Burlingame: "An Act to amend Chapter Two, Title Two, Part Two, of the Code of Civil Procedure of Montana, relating to adverse possession of real estate."

By Burlingame: "An Act to establish a State Game Preserve in the Highwood National Reserve for the protection of game animals and birds, and providing a penalty for killing, hunting or pursuing any such animals or birds in such preserve."

By Healy: "An Act to make lawful certain agreements between employers and laborers, and to limit the issuance of injunctions in certain cases."

By Oliver: "An Act regulating the casing of oil and gas wells, and the mode of plugging the same when abandoned."

By Oliver: "An Act relating to liens for labor and materials furnished to owners or leaseholders for oil and gas purposes, and for materials and labor for the construction of oil and gas pipe lines."

By Hurd: "An Act to establish a normal school at Glasgow, Valley County, Montana, to provide for the building and equipment thereof, and provide for the maintenance of said normal school as a State institution."

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Jensen, the House resolved itself into a Committee of the Whole for consideration of General Orders.

#### GENERAL ORDERS.

Mason in the Chair.

House resumed.

Mr. Speaker in the Chair.

Mason, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, to whom was referred House Bill No. 5, introduced by Stimpert, being a Bill for an Act entitled, "An Act relating to bridges within any city or town upon a highway crossing a natural stream separating one part from another part of any county in which such city or town is situated and providing for the construction and maintenance of such bridges and their approaches," beg leave to report as follows: Having had same under consideration, report back to the House with the recommendation that it do pass.

Also having had under consideration House Bill No. 17, a Bill for an Act entitled, "An Act to amend and reenact Section 2616 of the Revised Codes of 1907 of the State of Montana, relating to the collection of taxes by the County Treasurer, and the manner of giving notice of the amount due, the amount delinquent,



when delinquent, and the penalty added in case of delinquency," report same back to the House with the recommendation that the same do pass.

Report adopted.

H. B. No. 5 and H. B. No. 17 referred to Engrossing Committee.

On motion of McMahon, House reverted to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

McMahon: Whereas, it has become necessary to provide more chairs for the use of the members of the House in Committee rooms and elsewhere,

Therefore be it resolved, That the Sergeant-at-Arms be instructed to make a requisition on the Secretary of State for as many chairs as may be necessary, not to exceed sixty (60).

Resolution adopted.

McMahon of the Committee on Rules, Joint Rules and Order of Business, reported as follows:

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, beg leave to report and recommend that the rules of the House of Representatives of the Fourteenth Legislative Assembly be amended as follows:

That Rule 21, Section 4, will read as follows: "If any member transgresses the rules of the House, in speaking or otherwise, the Speaker shall, or any member may, call him to order, in which case he shall immediately sit down, unless permitted on motion of another member to explain, and the House shall, if appealed to, decide on the case, without debate; if the decision is in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case require, he shall be liable to censure or such other punishment as the House may deem proper."

That in Rule 22, Section 3, the words "if there is one" will be changed to the words "if there be one."

That in Rule 30, the last sentence will read: "Amendments to the title of a Bill or Resolution or corrections in the history thereof shall be in order immediately preceding the third reading, and shall be decided without debate."

That in Rule 33, the following be added: "All Bills upon introduction shall be presented to the clerk in triplicate, and the lines in the body of the Bill shall be numbered consecutively."

Rule 34, eliminate the words Amendments to Sec. 1, Rule 34.

That Rule 39 should read: "Title of Bill to be recited." Every Committee in reporting on a Bill or Memorial shall recite at length in report the title of such Bill or Memorial, as well as the number thereof; provided, however, that the Committee on Printing, Engrossing and Enrolling shall be required to report the Bill by number only.

That a new Rule, No. 58, reading as follows, be added:

Rule 58. Steering Committee Provided For. The House may, by majority vote, authorize the Speaker to appoint a Committee of five members, which shall constitute a Steering Committee, which on and after the fortieth day shall fix the order of consideration of all Bills, Memorials and Resolutions coming before the House.

That Rule now numbered "58" be numbered "59" to conform to the change made by the insertion of the new rule, and that Reed's Rules of Order be changed to "Reed's Parliamentary Rules."

And as amended, we recommend their adoption as the Rules of the House of the Fifteenth Legislative Session."

Higgins: I move that the report be adopted, except with regard to that part of the Rules relating to the appointment of a Steering Committee.

Husser: I move that that part of Rule 8, Section 1, reading "Sanitary Affairs," be changed so as to read "Public Health and Sanitary Affairs."

Motion carried, and report of Committee, as amended by Higgins and Husser, adopted.

McMahon of the Committee on Rules, Joint Rules and Order of Business, reported as follows:

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration, with a like Committee of the Senate,

the Joint Rules of the Senate and House of Representatives of the Fifteenth Legislative Assembly, beg leave to report and recommend that the Joint Rules of the Senate and House of Representatives of the Fourteenth Legislative Assembly be amended as follows:

Rule 19, insert in place of the word "two-thirds" the word "majority."

That Rule No. 23 be eliminated.

That Rule No. 24 be numbered "23" and that the following new Rule be numbered "24":

Transmission of Bills. No Bills transmitted by the House to the Senate, or by the Senate to the House, after the fiftieth day of the Session shall be considered, with the exception of Bills considered by a Joint Conference Committee. Bills from said Committees may be transmitted at any time up to and including the sixtieth day.

Joint Rule No. 19, however, shall be in full force and applicable as to Rule No. 24.

And as amended, we recommend their adoption as the Joint Rules of House and Senate of the Fifteenth Legislative Assembly.

Report adopted.

On motion of Lemmon, House adjourned until 2 o'clock P. M. Monday, January 15, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## FIFTEENTH DAY

Monday, January 15, 1917.

House met at 2:00 o'clock P. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present except Eliel. Spain excused.

Blodgett, from the Committee on Journal, reported as follows:

January 15, 1917.

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the Twelfth day and find the same to be correct. Report adopted.

### COMMUNICATIONS AND PETITIONS.

The following communications were received:

Mr. Speaker: Dr. Stanley L. Kribs will deliver a public lecture at the Auditorium at 8 o'clock this evening, under the auspices of the State Retail Merchants' Association. All members are cordially invited to attend.

Mr. Speaker: All members of the House who are merchants, or interested in mercantile pursuits, are asked to leave their names with the clerk in order that they may receive tickets to the banquet of the State Retail Merchants' Association. (Signed) PROSSER.

### NOTICES OF BILLS.

By Ironside: "An Act providing for an eight hour day for all employees, earning wages, and extra compensation for overtime."

By Mason: "An Act regulating the practice of law by corporations in the State of Montana."

By Griffin: "An Act to regulate the manner of sales of real estate under a power of sale in mortgages, providing for redemption therefrom, and providing a method for the ascertainment of attorneys' fees when property is sold under mortgage by virtue of a power of attorney contained therein."

By Gould: "An Act to provide for the payment of an annual license tax to the State Treasurer of the State of Montana by all persons, corporations, companies, co-partnerships and associations doing business or operating in Montana,

to provide for the assessment and collection thereof, to provide penalties, to provide for the apportionment of money so paid to the said Treasurer and to make all such persons, corporations, companies, co-partnerships and associations amenable to the same law."

By Ashby: "An Act to amend Sections 8, 10, 22, 53, 54, 55, 56, 57 and 61 of Chapter 147 of the Montana Session Laws of 1909, 'An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof and the management, protection and disposition of the timber growing thereon, and the coal, oil and minerals therein; providing for the management and control of funds realized from the sale and rental of State lands and the products thereof; naming and providing for certain officers subordinate to the State Board of Land Commissioners and prescribing their duties and compensation; providing for the acquisition of water rights for the use upon State lands; defining and providing for the punishment of certain offenses for violating the provisions of this Act."

By Bent: "An Act to amend Section 1811, Chapter 76, Laws of the Thirteenth Legislative Assembly, an Act relating to public schools, approved March 12, 1913; and to provide for free text books in all the public schools and also in all high schools of the State."

By Bernard and Dods: A Bill for an Act entitled, "An Act to amend Section 3246 of the Revised Codes of Montana, 1907, relating to the compensation of city clerks."

By Wheat: "An Act to regulate the giving or furnishing of bonuses or premiums, such as the giving or furnishing of stamps, coupons, tickets, certificates, cards, gifts or premiums, such as crockery, chinaware, aluminumware, tinware or anything else that may be included with or contained in packages of any kind of merchandise, of any description, or other similar device for, or with or in connection with the sale of goods, wares or merchandise, and providing a penalty for the violation thereof."

By Husser: "An Act providing for the redemption of property sold under mortgage foreclosure proceedings, or under a power of sale conferred in a mortgage, deed, deed of trust, or other conveyance of real property, executed to secure a debt or other obligation, and to add a section to Chapter 1, Part 2, Title IX of the Revised Codes of Montana, 1907, to be known as Section 6864 A."

By Gould: "An Act to require the boundaries of mining claims to be remarked when same have become indistinct or difficult to trace."

## REPORTS OF STANDING COMMITTEES.

Jensen of the Committee on Highways reported as follows:

January 12, 1917.

Mr. Speaker: We, your Committee on Highways, to whom was referred H. B. No. 21, introduced by Demel, being a Bill for an Act entitled, "An Act to amend Section 1339 of the Revised Codes of Montana of 1907, relating to the width of highways, and providing for the altering of the same by petition to the Board of County Commissioners," report back to the House with the recommendation that it do not pass. Report adopted.

Jensen of the Committee on Highways reported as follows:

January 12, 1917.

Mr. Speaker: We, your Committee on Highways, to whom was referred H. B. No. 34, introduced by Stimpert, being a Bill for an Act entitled, "An Act rendering county liable for damages for or on account of any injury or loss to person or property caused by any defect in any bridge, public highway, road, culvert, public ground, ferry boat, or public works of any kind within the county, and prescribing notice to the county," report same back to the House with the recommendation that it do not pass. Report adopted.

Mason of the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 54, by Holt, entitled, "An Act to prohibit constables from practicing law, performing legal duties, taking claims for collection or participating in proceedings or cases in any courts of the State of Montana," respectfully

beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason of the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 40, by McQuarrie, entitled, "A Bill for an Act for the submission to the qualified electors of the State of Montana of an amendment to Section V of Article XIII of the Constitution of the State of Montana, relating to public indebtedness," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason of the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 47, by Cotter, entitled, "An Act to amend Section 9289 of the Revised Codes of the State of Montana, 1907, relating to the evidence necessary to convict of the crime of obtaining money or property by false pretense," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason of the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 48, by Stimpert, entitled, "An Act providing for the creation of Commissioner Districts within counties and the election of County Commissioners from such districts of the several counties in the State of Montana, and repealing all Acts and parts of Acts in conflict with the provisions of this Act," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass."

Report adopted and Bill referred to Printing Committee.

Mason of the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 43, by Connolly, entitled, "An Act to amend Section 79 of Chapter 1 of the Laws of the Fourteenth Legislative Assembly of the State of Montana, 1915, providing for salaries of Legislative officers," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason of the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 37, by Demel, entitled, "An Act to amend Section 7724 of the Revised Codes of Montana, and providing for the payment of an inheritance tax upon real property, as well as personal property, when the same passes to direct heirs," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Kehoe of the Committee on Ways and Means reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Joint Resolution No. 2, introduced by Harbert, being "A Resolution memorializing Congress for the passage of hydro-electric power legislation that will enable the government to lease power sites to private legitimate enterprises under proper rules and regulations," respectfully beg leave to report as follows: That same be referred back to the House with the recommendation that it be referred to the Committee on Federal Relations.

Report adopted.

Kehoe of the Committee on Ways and Means reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 18, introduced by Baldwin, entitled, "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article 12 of the Constitution of the State of Montana providing that evidences of debt shall be exempt from taxation," respectfully beg leave to report as follows: Having had same under consideration, beg leave to report that the Bill be amended by inserting after the word "property" in the last line of Section 2, the following



words, "in the State of Montana," and that as so amended, it be reported back to the House and recommend it do pass.

Report adopted and Bill referred to Printing Committee.

Andrew of the Committee on Affairs of Cities reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 36, introduced by Harbert, entitled, "A Bill for an Act to amend Sections 12 and 21 of Chapter 57 of the Session Laws of the State of Montana of 1911 relating to the commission form of government for cities; providing for the election of officers therein; defining their duties and powers and providing for their compensation," recommend that the same be referred to the Judiciary Committee.

Report adopted.

Mason of the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 49, by Demel, entitled, "An Act to amend Section 5177, Revised Codes of Montana, 1907, relating to defrauding the owner of an inn or hotel, owner of cafe, restaurant, apartment, rooming or boarding house, and providing penalty for violation thereof," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Andrew of the Committee on Affairs of Cities reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 9, introduced by Jensen, entitled, "An Act relating to the levying of taxes in cities having less than 50,000 population for the purpose of creating a municipal band fund and providing for the election for this purpose, refer it back with the recommendation that the Bill do pass.

Report adopted and Bill referred to Printing Committee.

Connolly of the Committee on Engrossment reported as follows:

January 15, 1917.

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 5, introduced by Stimpert, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on file for third reading.

Connolly of the Committee on Engrossment reported as follows:

January 15, 1917.

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 17, introduced by Working, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on file for third reading.

### INTRODUCTION OF BILLS.

H. B. No. 55, introduced by Holt: A Bill for an Act entitled, "An Act to amend Section 6698 of the Revised Codes of Montana of 1907, relating to receivers."

H. B. No. 56, introduced by Baldwin: A Bill for an Act entitled, "An Act to require the payment of taxes before the transfer and recording of a deed or other instrument conveying land or a plat of any townsite or addition thereto, and to provide and fix penalties for non-conformance."

H. B. No. 57, introduced by Carl: A Bill for an Act entitled, "An Act providing for the levy of school district taxes in excess of ten mills when authorized by vote of the qualified electors of such district who are taxpayers therein."

H. B. No. 58, introduced by Baxter: A Bill for an Act to amend Sections XXIV and XXV of Chapter 147 of the Laws of the Eleventh Legislative Assembly, 1909, entitled, "An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof and the management, protection and disposition of the timber growing thereon and the coal, oil and minerals therein; providing for the management and control of the funds realized from the sale and rental of State lands and the products thereof; naming and providing for certain officers subordinate to the State Board of Land Commissioners and prescribing their duties and compensation; providing for the acquisition of water rights for use upon

State lands; defining and providing for the punishment of certain offenses for violating the provisions of this Act."

H. B. No. 59, introduced by Jones: A Bill for an Act entitled, "An Act to repeal Section 9290 of the Revised Codes of the State of Montana, 1907."

H. B. No. 60, introduced by Murray: A Bill for an Act entitled, "An Act authorizing the breeding and sale of wild animals or birds raised in captivity, and providing for a system of tags or seals and a license in connection therewith."

H. B. No. 61, introduced by Baxter: A Bill for an Act entitled, "An Act to provide a license tax on the annual net proceeds of all gold, silver, sapphire, copper or lead mines or mining claims, and power plants deriving their power from the use of any stream, lake or waterfall in this State, and a license tax on oil, gas and coal production in this State, and providing penalties for a violation of the provisions of this Act."

H. B. No. 62, introduced by Murray: A Bill for an Act entitled, "An Act to amend Section 3246 of the Revised Codes of Montana of 1907, relating to salary of clerk."

H. B. No. 63, introduced by Hathaway: A Bill for an Act entitled, "An Act making it the duty of sheriffs, mayors and others to employ matrons or female attendants for female prisoners, providing compensation and fixing penalties."

H. B. No. 64, introduced by Harbert: A Bill for an Act entitled, "An Act to amend Section 3214 of Chapter 3 of the Revised Codes of the State of Montana, relating to the extension of corporate limits over contiguous platted tracts."

H. J. M. No. 3, introduced by Harbert: Memorializing Congress of the United States for a biological survey of Flathead, Whitefish and Swan Lakes."

#### READING OF HOUSE BILLS.

H. B. No. 55, read first and second times and referred to Judiciary Committee.

H. B. No. 56, read first and second times and referred to Judiciary Committee.

H. B. No. 57, read first and second times and referred to Judiciary Committee.

H. B. No. 58, read first and second times and referred to Committee on State Lands.

H. B. No. 59, read first and second times and referred to Committee on Judiciary.

H. B. No. 60, read first and second times and referred to Committee on Fish and Game.

H. B. No. 61, read first and second times and referred to Committee on Ways and Means.

H. B. No. 62, read first and second times and referred to Judiciary Committee.

H. B. No. 63, read first and second times and referred to Judiciary Committee.

H. B. No. 64, read first and second times and referred to Judiciary Committee.

H. J. M. No. 3, read first and second times and referred to Committee on Ways and Means.

#### CONSIDERATION OF MESSAGES FROM SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, January 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Joint Resolution No. 1, introduced by Whiteside, being a Resolution to authorize the State Board of Land Commissioners to sell the said investment bonds and securities, providing the same can be sold at a profit over the amount paid for said securities, and that the funds realized through said sales be invested in said farm loan bonds, was read and referred to the Committee on Agriculture.

Respectfully

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee, having had under consideration Senate Joint Memorial No. 5, from the Senate of the State of Utah relating to the destruction of certain wild animals, respectfully recommend that this Resolution be referred to the Senate Committee on Stock Growing and Grazing.

Respectfully

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the report of the Committee on Joint Rules of the Senate and the House for the Fifteenth Legislative Assembly was this day adopted.

Respectfully

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee, having had under consideration Senate Joint Memorial No. 1, from the Senate of the State of Utah, being a petition for the enactment by the Congress of the United States of House Resolution No. 15869, endorsed by Mr. Foster, entitled, "A Bill to provide for the establishment and maintenance of mining experiment and mine safety stations for making investigations and disseminating information among mine employees and mining and metallurgical and other mineral industries, and for other purposes," respectfully recommend that this Memorial be referred to the Senate Committee on Mines and Mining.

Respectfully

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Kane, duly seconded and carried, the Committee appointed to investigate and report the assessed valuation of corporations doing business in Montana, were empowered to employ such clerical help as they may deem necessary.

Respectfully

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times and referred as follows:

S. B. No. 28, introduced by Meadors: A Bill for an Act entitled, "An Act to provide for the organization of special road districts in the several counties of the State, to provide for the election and appointment of directors and other officers for special road districts, prescribing their duties and regulating the government thereof, and to provide for the levy of taxes in special road districts and the disbursements of the special road district fund." Referred to Committee on Roads and Highways.

S. B. No. 29, introduced by Oliver: A Bill for an Act entitled, "An Act relating to liens for labor and materials furnished to owners of leaseholds for oil and gas purposes and for materials and labor for the construction of oil and gas pipe lines." Referred to Committee on Labor and Capital.

S. B. No. 30, introduced by Jones: A Bill for an Act entitled, "An Act to amend Section 9029 of the Revised Codes of Montana, 1907, relating to the time within which an indictment for crime may be found or an information or complaint filed; and providing for excepting time during which the defendant is outside the State." Referred to Committee on Judiciary.

S. B. No. 31, introduced by Oliver: A Bill for an Act entitled, "An Act in relation to the release of record of oil, gas and other mineral leases, providing civil remedies in connection therewith." Referred to Committee on Judiciary.

S. B. No. 32, introduced by Oliver: A Bill for an Act entitled, "An Act regulating the casing of oil and gas wells, and the mode of plugging the same when abandoned." Referred to Committee on Mines and Mining.

S. B. No. 33, introduced by Stevens: A Bill for an Act entitled, "An Act to require railroad or railway companies to cooper box cars placed for loading grain or other commodities subject to loss by leakage, and providing a penalty for non-compliance with the provisions of this Act." Referred to Committee on Railroads.

S. B. No. 34, introduced by Burlingame: A Bill for an Act entitled, "An Act to establish a State game preserve in the Highwood National Forest Reserve for the protection of game animals and birds, and providing a penalty for killing, hunting or pursuing any such animals or birds in such preserve." Referred to Committee on Fish and Game.

S. B. No. 35, introduced by Haley: A Bill for an Act entitled, "An Act to repeal Chapter (95) ninety-five of the Laws of the Fourteenth Legislative Assembly entitled 'An Act creating certain funds in the State Treasury to provide for retirement of public school teachers, providing for the creation of these funds by contributions from teachers, investment of funds, gifts to funds, and appropriations; providing for the custody and management of these funds; providing for the collection, condition of investment and condition of distribution of the funds; providing for the creation of boards to have charge of the funds, and prescribing the duties and powers of such boards; providing for place of meeting of such board, providing for help and expenditures for such board in meeting and carrying out the provisions of this Act, providing conditions under which teachers may receive distribution of these funds, including the amount of time and term of payment.'" Referred to Committee on Education.

S. B. No. 36, introduced by Burlingame: A Bill for an Act entitled, "An Act to amend Chapter Two, Title Two, Part Two, of the Code of Civil Procedure of Montana, relating to adverse possession of real estate." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Jones: A Bill for an Act entitled, "An Act to provide for the payment of attorney fees in certain cases involving claims for wages and to provide for taxing the same as court costs in case of suit."

By Smith: A Bill for an Act entitled, "An Act to amend Chapter 73 of the Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the registration, identification and regulation of motor vehicles, by amending Subdivision 1 of Section 5 thereof to provide for regulation of vehicles."

By Jones: A Bill for an Act entitled, "An Act to create the County of Wheatland, designate its boundaries and provide for its organization and government and to change the boundaries of Meagher and Sweet Grass Counties to conform thereto."

By Oliver: A Bill for an Act entitled, "An Act to amend Section 300, Subdivision 9, of Section 302 of Chapter 3, and Subdivisions 1 and 10 of Section 502, and Sections 509 and 513 of Chapter 4, and Subdivision 6 of Section 803 of Chapter 8, and Section 903 and Subdivisions a, b and c of Section 905 of Chapter 9, and Sections 1000 and 1003 of Chapter 10, and Section 1500 of Chapter 15 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana; and to repeal Section 801 of Chapter 8, and Section 1004 of Chapter 10 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to public schools; and to repeal Chapter 19 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the election of trustees of public schools."

By O'Shea: A Bill for an Act entitled, "An Act to authorize the State Board of Land Commissioners to invest and keep invested the moneys belonging to the permanent school fund, permanent University fund, permanent Agricultural College fund, and other permanent State educational, charitable and penal institutions funds in Federal Farm Loan Bonds, in addition to the forms of investment now authorized by law."

Respectfully,

J. F. CONE, Secretary of the Senate.



## THIRD READING OF HOUSE BILLS.

H. B. No. 5, having been read three several times, was passed by the following vote:

Ayes: Andersen (Chas.), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Dodds, Duffy, Eaton, Farmer, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—90.

Noes: None.

Absent and not voting: Brooks, Demel, Eliel, Fishbaugh, Flanigan—5.

Title agreed to and Bill transmitted to Senate for its concurrence.

H. B. No. 17, having been read three several times, was passed by the following vote:

Ayes: Andersen (Chas.), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Dodds, Duffy, Eaton, Farmer, Flanigan, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—91.

Noes: None.

Absent and not voting: Brooks, Demel, Fishbaugh, Harmon—4.

Title agreed to and Bill transmitted to Senate for its concurrence.

There being no objection, Mr. Speaker reverted to Fourth Order of Business.

## REPORTS OF STANDING COMMITTEES.

Hurd from the Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, in compiling data for the Books of Rules and Order, wish to request of the members who have been furnished blanks that they fill them out, giving home address, occupation and name. Report adopted.

On motion of Belden, House reverted to Sixth Order of Business.

## MOTIONS AND RESOLUTIONS.

On motion of Belden, White was given permission to change his seat to a place nearer the front of the House.

White: I move that the word "and" in the fourth line of the second paragraph of my Resolution read on the twelfth day, be stricken out and that the word "of" be inserted in lieu thereof. Motion carried.

Mr. Speaker appointed the following Special Tax Committee: Gould, McMahon, Belden, Rasmussen and Spain.

Mr. Speaker appointed the following Committee to draw up a suitable Resolution on the death of Colonel Cody: Duffy, Bernard and Lemmon.

Mr. Speaker referred the State Auditor's report to the Committee on Appropriations.

Mr. Speaker referred the report of the Governor, regarding pardons and commutations, to the Committee on State Institutions.

On motion of Lemmon, House adjourned until 11:00 o'clock A. M. Tuesday, January 16, 1917.

J. F. O'CONNOR, Speaker.  
C. H. TREACY, Chief Clerk.

## SIXTEENTH DAY

Tuesday, January 16, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present except Eliel.

Blodgett of the Committee on Journal reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the fifteenth day and find the same to be correct. Report adopted.

## NOTICES OF BILLS.

By Stimpert: An Act prohibiting unfair competition or discrimination in the buying, selling, production, manufacturing or distribution of any commodity or product in general use and providing a penalty for the infraction of the provisions thereof, and providing that complaint be made to the Attorney General of any violation of this Act by any corporation, and requiring the Attorney General to forthwith investigate such complaint and to prosecute such corporation if the facts ascertained by him warrant such prosecution and providing for the annulment by the court of the charter of any corporation found guilty of unfair competition or discrimination.

By Rainey: "An Act to amend Section 7731 of the Revised Codes of 1907, relating to the payment of inheritance tax to County Treasurers and receipts."

By Hathaway: "An Act for a Joint Memorial to Congress, asking for the passage of a nationwide prohibition Bill."

By Committee on Public Morals, Charities and Reforms: "A House Joint Memorial memorializing Congress to submit an amendment to the Constitution of the United States prohibiting polygamy."

By Working: "An Act to amend Sections 3465, 3466, 3471, 3472 and 3478 of the Revised Codes of 1907 of Montana, relating to the laying out, surveying, platting and recording of any city or town, or any addition to any city or town, or any tract of land within the limits of any city or town, or any townsite, or any tract of land outside of the limits of any city or town sold in small tracts or acreage tracts less than the United States legal subdivision, requiring sales to be made by reference to such plats, and the numbers of such lots and blocks, to facilitate the transfer or taxation of such property and to prevent boundary disputes; providing for public parks within such platted and surveyed area; to promote and preserve the public welfare by prohibiting certain things hurtful to the comfort, safety and welfare of society by establishing such rules and regulations for the use, sale and management of property as may be conducive to public interest, and providing penalties for the violation of such provisions."

By Huffaker and Anderson: An Act entitled, "An Act to amend Subdivision 10 of Section 2 and Section 4 of Chapter 73 of Session Laws of 1913, being an Act entitled, 'An Act providing for the registration, identification and regulation of motor vehicles operated and driven upon the public roads and highways of this State, providing for the collection of registration fees and for the creation of a road dragging fund and that a portion of such fees shall be paid into such fund for certain purposes.'"

By Harbert: "A Bill relating to authorizing the State Land Board to sell certain securities owned by the common school fund and other institutions of the State, and loaning same to the farmers under the Romney and Whiteside Acts, and other public securities."

By Burnworth: "An Act to amend Section 3855, Laws of 1907, so that certain assignments of stock certificates shall be considered prima facie evidence of fraud, when writs of attachment or writs of execution are levied on said stock."

By Dodds: "An Act to provide ways and means of compelling support of a wife, child or children, ward or wards, by the husband, father or guardian and providing penalties for failure to so provide."

By Bernard: "An Act providing for a district herd law, penalty for violation thereof, etc."

By Andersen: "An Act to amend Sections 2 and 3 of Chapter 110 of the

Twelfth Legislative Assembly, entitled, 'An Act defining the term "itinerant vendors," to regulate the licensing of same, to fix the amount of such licenses, to provide penalties for the violation of such regulation and for other purposes.'"

By O'Brien: "An Act to extend and define the boundaries of Silver Bow County, and to alter the boundaries of Deer Lodge County to conform thereto."

#### REPORTS OF STANDING COMMITTEES.

Hurd of the Printing Committee reported as follows:

January 16, 1917.

Mr. Speaker: We, your Printing Committee, to whom was referred the printing of House Bills Nos. 20 and 31, beg leave to report that the same have been correctly printed.

Report adopted and Bills placed on General Orders.

Ironside of the Committee on State Boards and Officers reported as follows:

January 16, 1917.

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 24, introduced by Bernard, a Bill for an Act entitled, "An Act amending Section 459 of the Revised Codes of Montana, 1907, fixing the compensation of Board of Election," report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Shaw of the Committee on Waterways and Navigation reported as follows:

Mr. Speaker: We, your Committee on Waterways and Navigation, having had under consideration Joint House Resolution No. 4, introduced by Harbert, being a Resolution memorializing Congress for the passage of an appropriation of \$10,000.00 to dredge Polson Bay on Flathead Lake of this State, report back to the House with the recommendation that the same do pass.

Report adopted and Resolution referred to Printing Committee.

Hathaway of the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 23, a Bill for an Act entitled, "An Act to prohibit gambling on games played upon pool and billiard tables, to punish those who participate therein as well as those who conduct or carry on such games, and provide for early closing of all pool halls, billiard halls, bowling alleys and other places where pool or billiards is played," respectfully beg leave to report as follows: That we report the Bill back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Hathaway of the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: Your Committee on Public Morals, Charities and Reforms, to whom was referred House Joint Resolution No. 92, received from the Secretary of the State of Connecticut, report that we have taken the matter under consideration and will introduce a House Joint Memorial covering these matters.

Report adopted.

Weil of the Committee on Privileges and Elections reported as follows:

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration the matter of the contest of the election of R. O. McMillan to the office of Representative of Sheridan County, having given the matter careful consideration, report back to the House that the contest of P. B. Burke, contestant, vs. R. O. McMillan, contestee, be dismissed.

Report adopted.

The following report was received from a majority of the Committee on House Employees:

Helena, Montana, January 16, 1917.

Mr. Speaker: We, a majority of your Committee on House Employees, beg to report as follows:

First: We recommend the following names be withdrawn from the list of House employees: George Chapman, Janitor; Lee Wood, Janitor; W. O'Connell, Janitor; John Monahan, Stamp Clerk; R. E. Haislop, Cloak Room Attendant;



George Murray, Cloak Room Attendant; M. Narvares, Clerk; George Murphy, Clerk; A. Sherman, Clerk; E. Oppel, Clerk; A. Bennett, Clerk.

Second: We recommend the following names be added to the list of House attaches: C. J. Morrell, Railroads and Transportation Committee; Sarah Touhill; Dan Yancy, Judiciary Committee; Miss Adams; Miss Eldred, Ways and Means Committee; Miss Nan Becker, New Counties and Divisions Committee; F. X. Schneider, Irrigation and Water Rights Committee; Miss Keegan, Enrollment Committee.

(Signed)

C. C. DAVIS,  
S. C. ASHBY, JR.,  
M. SEKTNAN,  
JAMES GRIFFIN.

Higgins: I move that the report of the Committee be segregated.

Substitute motion of McMahon that the report of the Committee on House Employees be referred to the Judiciary Committee, was carried by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Baxter, Belden, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buchanan, Carll, Clark, Connolly, Cotter, Crowley, Duffy, Farmer, Grimes, Harbert, Hawks, Henderson, Huffaker, Hurd, Ironside, Johnson of Deer Lodge, Kehoe, Lanstrum, Lemmon, McDonald, McMahon, McQuarrie, Mason, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Scott, Shaw, Spain, Ward, Weil, Working, Searles—49.

Noes: Ashby, Bent, Buell of Gallatin, Burnworth, Crismas, Davis, Deibel, Dodds, Eaton, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harmon, Hathaway, Henry, Higgins, Holt, Husser, Ingalls, Jensen, Johnston of Ravalli, Jones, Kelsey, Kemmis, Larse, Lewis, McClory, McMillan, Middleton, Morris, Prosser, Quaintance, Rasmussen, Sand, Scott, Stimpert, Wheat, White, Mr. Speaker—41.

Absent and not voting: Brooks, Demel, Eliel, Flanigan, Lusk—5.

### INTRODUCTION OF BILLS.

H. B. No. 65, introduced by Carll: A Bill for an Act entitled, "An Act providing how candidates for the office of trustee of school districts may be nominated."

H. B. No. 66, introduced by Gould: A Bill for an Act entitled, "An Act to require the boundaries of mining claims to be renewed and remarked when same have become indistinct and difficult to trace."

H. B. No. 67, introduced by Wheat: A Bill for an Act entitled, "An Act to regulate the giving or furnishing of bonuses or premiums, such as the giving or furnishing of stamps, coupons, tickets, certificates, cards, gifts, or premiums, such as crockery, chinaware, aluminumware, tinware, or anything else that may be included with or contained in packages of any kind of merchandise of any description, or other similar device for, or with or in connection with the sale of goods, wares or merchandise, and providing a penalty for the violation thereof."

H. B. No. 68, introduced by Ashby: A Bill for an Act entitled, "An Act to amend Sections 8, 10, 22, 54, 55, 56, 57 and 61 of Chapter 147 of the Montana Session Laws of 1909, 'An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof and the management, protection, and disposition of the timber growing thereon and the coal, oil and minerals therein; providing for the management and control of the funds realized from the sale and rental of State lands and the products thereof; naming and providing for certain officers subordinate to the State Board of Land Commissioners and prescribing their duties and compensation; providing for the acquisition of water rights for use upon State lands; defining and providing for the punishment of certain offenses for violating the provisions of this Act.'"

H. B. No. 69, introduced by Griffin: A Bill for an Act entitled, "An Act to regulate the manner of sales of real estate under a power of sale in mortgage, providing for redemption therefrom, and providing a method for the ascertainment



of attorneys' fees when property is sold under mortgage by virtue of a power of attorney contained therein."

H. B. No. 70, introduced by Kehoe: A Bill for an Act entitled, "An Act providing how penalties and interest on delinquent taxes and assessments shall be apportioned."

H. B. No. 71, introduced by Bent: A Bill for an Act entitled, "An Act to provide free text books for the use of the pupils of the public schools, and high schools, at the expense of the districts, and to require the trustees and school boards of each district to purchase same and make rules governing the use of said books, and to allow them sold, at cost, for use of pupils when desired by parents or guardians; and to amend Section 1811, Chapter 76, Laws of Thirteenth Legislative Assembly."

H. B. No. 72, introduced by Bernard: A Bill for an Act entitled, "An Act to prohibit the driving, placing or imbedding of spikes, nails, or other metallic substances, stone or rock, in saw logs intended for manufacture into lumber or other timber products, and prescribing the penalty therefor."

H. B. No. 73, introduced by Husser: A Bill for an Act entitled, "An Act providing for the redemption of property sold under mortgage foreclosure proceedings, or under a power of sale conferred in a mortgage deed, deed of trust, or other conveyance of real property, executed to secure a debt or other obligation, and to add a Section to Chapter 1, Part 2, Title IX of the Revised Codes of Montana, 1907, to be known as Section 6864 A."

H. B. No. 74, introduced by Working: A Bill for an Act entitled, "An Act to authorize and empower any city or town organized under the laws of Montana to receive and take by gift, donation, grant, devise or bequest, any property, real, personal or mixed, or any improved or unimproved park or playground, or any water or water right, water reservoir or water shed, or any timber land or reserve, or any fish or game reserve, in any part of the State of Montana, and to own, hold, work and improve the same; and to authorize any person, company, co-partnership or corporation to make gifts, donations, grants, devises or bequests of any kind of property to any such city or town."

H. B. No. 75, introduced by Bernard and Dodds: "An Act to amend Section 3246 of the Revised Codes of Montana, 1907, relating to compensation of city clerks."

#### READING OF HOUSE BILLS.

H. B. No. 65, read first and second times and referred to Committee on Judiciary.

H. B. No. 66, read first and second times and referred to Committee on Mines and Mining.

H. B. No. 67, read first and second times and referred to Judiciary Committee.

H. B. No. 68, read first and second times and referred to Committee on State Lands.

H. B. No. 69, read first and second times and referred to Judiciary Committee.

H. B. No. 70, read first and second times and referred to Judiciary Committee.

H. B. No. 71, read first and second times and referred to Committee on Education.

H. B. No. 72, read first and second times and referred to Committee on Improvements and Manufacturing.

H. B. No. 73, read first and second times and referred to Committee on Judiciary.

H. B. No. 74, read first and second times and referred to Committee on Affairs of Cities.

H. B. No. 75, read first and second times and referred to Committee on Judiciary.

#### MOTIONS AND RESOLUTIONS.

On motion of Stimpert, H. B. No. 48 was referred back to Judiciary Committee for amendment.

Scott was granted unanimous consent to introduce without previous notice the following Resolution:

House Resolution No. 2, introduced by Scott:

To the Honorable President of the Senate of the United States:

We, your Memorialists, the House of Representatives of the Fifteenth Legislative Assembly of the State of Montana, do hereby respectfully submit the following Resolution:

WHEREAS, There is now pending in the Senate of the United States a Bill for an Act providing for the development of water power and the use of public lands in relation thereto, and

WHEREAS, the State of Montana is desirous of the reasonable development of its resources under such laws and regulations as will effectively conserve the public interest, is vitally interested in the consideration of such water power Bill, and

WHEREAS, There exists in our State an urgent need for the opportunity of developing its water power as an aid to its industrial growth and progress, and

WHEREAS, There are situate within the State of Montana, many large streams and natural power sites of magnitude and great potential possibilities, the early development of which, for the production of hydro-electric energy and other kindred uses, depends entirely, in large measure, on the attitude and action of the National Congress in connection therewith, now therefore, be it

RESOLVED, That we, the House of Representatives of the State of Montana, respectfully ask, in connection with the water power Bill now under consideration in the Senate of the United States, for immediate legislation such as will permit, fully and freely, the development of water power in the streams and power sites on the public lands, and on the Indian reservations in Montana, under such rules and regulations as the Congress of the United States may prescribe.

RESOLVED, that a copy of this Resolution be transmitted, by the Secretary of State, to the Honorable Henry L. Myers and Honorable Thomas J. Walsh, United States Senators at Washington, D. C.

On motion of Scott, Resolution was adopted.

#### CONSIDERATION OF MESSAGES FROM SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, January 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee, to whom was referred Senate Bill No. 18, introduced by Jones, being "An Act to amend Section 3178 of the Revised Codes of Montana, 1907, providing for the per diem and mileage of grand and trial jurors for attendance before courts of record," having had same under consideration, recommends that the same be amended by striking out in the fourth line of Section 1 the word "five" and inserting in lieu thereof the word "four," and that as so amended the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee having had under consideration Senate Bill No. 2, introduced by Brower, being "An Act to regulate the employment of Legislative Lobby Counsel and Agents; to prohibit legislative counsel and agents from attempting to influence members of the Legislature, other than by appearance before committee thereof; to provide for the return of legislative expenses and prescribing penalties and fixing punishment for the violation of the provisions thereof," recommend that same be printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee, having had under consideration Senate Bill No. 15, introduced by Larson, being "An Act to amend Section 9289 of the Revised Codes of Montana, 1907, relating to evidence necessary to convict of crime of obtaining

money or property by false pretense," recommend that same do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Joint Resolution No. 2, introduced by Whiteside, being a Joint Resolution relative to the loaning of money to farmers upon warehouse receipts by Federal Reserve Banks, was this day introduced, read first and second times, and referred to the Committee on Federal Relations.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times and referred as follows:

S. B. No. 37, introduced by Smith: A Bill for an Act entitled, "An Act to amend Chapter 73 of the Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the registration, identification and regulation of motor vehicles, by amending Subdivision 1 of Section 5 thereof to provide for regulation of vehicles." Referred to Committee on Counties and Towns.

S. B. No. 38, introduced by O'Shea: A Bill for an Act entitled, "An Act to authorize the investment of the permanent funds of the State in Federal Farm Loan Bonds and to amend the first Section of the initiated law passed by the people at the general election held in November, 1914, by adding another Section thereto authorizing the State Board of Land Commissioners to make such investment." Referred to Committee on Finance and Claims.

S. B. No. 39, introduced by Healy: A Bill for an Act entitled, "An Act to make lawful certain agreements between employers and laborers and to limit the issuance of injunctions in certain cases." Referred to Committee on Labor and Capital.

S. B. No. 40, introduced by Burla: A Bill for an Act entitled, "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 1 and Section 2 of Article 17 of the Constitution of the State of Montana, relating to the classification and sale of public lands." Referred to Committee on Public Lands.

S. B. No. 41, introduced by Burla: A Bill for an Act entitled, "An Act to amend Section 9006 of the 1907 Revised Codes of Montana, having to do with the removal of public officers by summary proceedings." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee, to whom was referred Senate Bill No. 14, introduced by Slayton, being "An Act to empower County Commissioners to view public highways and to recompense them for said services," having had the same under consideration, recommends that same be amended by striking out in the third line of Section 3 of said Bill the words "Five (\$5.00)" and inserting in lieu thereof the words "Eight (\$8.00)," and that as so amended the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Stevens: "An Act to amend Sections 23, 24, 25, 26, 27, 28, 30, 31, 33, 34, 39, 40, 42 and 45; and to repeal Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of Chapter 93 of the Laws, Resolutions and Memorials of the State of Montana passed by the 14th regular session of the Legislative Assembly, relating to grain elevators, grain warehouses and places

where grain is stored, and establishing a State grain inspection department and a grain grading commission, and providing for the appointment of a chief grain inspector and his deputies; and to enact new Sections relating to said subject."

By Larson: Senate Joint Memorial, "Petition to Congress to enact a law admitting to citizenship one George Washington Taylor, born within the empire of China."

By Whiteside: "An Act to promote the construction of grain warehouses in the State."

By Kinney: "An Act to amend Section 50 of Chapter 89 of the Laws of 1915 entitled, 'An Act regulating the business of banking, providing for the creation and regulation of banking corporations, creating the department of banking and prescribing the duties and fixing the salaries of its officers and employees, and repealing Title II, Part IV of Division I of the Civil Code of Montana, entitled, 'Banks and Banking Corporations,' being the provisions of Sections 2909 to 4015, both numbers inclusive, Revised Codes of Montana, 1907, and all Acts amendatory thereof,' relative to the designation of reserve banks."

By Healy: "An Act to punish assaults upon, and interference with conductors, engineers, brakemen, and other persons in charge of the operation of railroad trains or cars or locomotives."

By Brower: "An Act relating to the sale and assignment of mortgages on farm lands, together with the evidences of indebtedness secured thereby, in which the moneys belonging to the permanent common school and other permanent State educational, charitable and penal institutions shall be invested by the State Board of Land Commissioners."

By Dwight: "An Act to change the boundary line between Sanders and Flathead Counties."

By Oliver: "An Act to create the County of Sykes, designate its boundaries and provide for its organization and government, adjust all property rights and change the boundary line of Fallon County to conform thereto."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee, to whom was referred Senate Bill No. 4, introduced by Edwards, being "An Act requiring an oath to be taken by persons testifying before Legislative Committees, and providing that false testimony given by such persons shall constitute perjury," having had the same under consideration, recommends that same be amended by inserting in the fourth line of Section 1 after the word "shall" the words "upon the request of such Committee," and that as amended the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Fishbaugh, House adjourned until 11:00 o'clock A. M. Wednesday, January 17, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## SEVENTEENTH DAY

Wednesday, January 17, 1917

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present except Eliel.

Blodgett of the Committee on Journal reported as follows:

Mr. Speaker: We, your Journal Committee, beg leave to report that we have examined the Journal of the sixteenth day and find the same to be correct. Report adopted.



## NOTICES OF BILLS.

By Blodgett: "An Act to establish in the State University of Montana a department for the instruction of public accountancy, and to make provision for the support thereof, and to regulate the practice of the profession of public accountancy, prohibiting the making of false reports by any public accountant and providing a penalty and punishment therefor and repealing all of the provisions of Chapter 39 of the Laws enacted by the Eleventh Legislative Assembly of the State of Montana, being an 'Act to regulate the practice of the profession of public accounting.'"

By Belden: "An Act to provide for the extension of incorporated cities and towns and repealing all Acts in conflict therewith."

By Holt: "An Act providing for the installation of sanitary drinking fountains in all hotels, located in towns or cities in this State wherein a water works system has been or may hereafter be installed, and providing penalties for failure to comply herewith."

By Holt: "An Act to amend Section 7166 of the Revised Codes and providing for the assessment of an attorney's fee in actions for the foreclosure of liens of mechanics and others upon real property."

By Hawks: "An Act providing for the creation of herd districts; prescribing the manner of the creation thereof and prohibiting the running of livestock at large therein, and providing a penalty for violation of same."

## REPORTS OF STANDING COMMITTEES.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 19, by Johnston, entitled, "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article XII of the Constitution of the State of Montana, relating to exemptions from taxation," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 56, by Baldwin, entitled, "An Act to require the payment of taxes before the transfer and recording of a deed or other instrument conveying land or a plat of any townsite or addition thereto, and to provide and fix penalties for non-conformance," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 27, by Spain, entitled, "An Act to simplify the manner of voting for presidential electors and providing that one cross mark shall indicate a vote for all candidates for presidential elector of a political party," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 59, by Jones, entitled, "An Act to repeal Section 9290 of the Revised Codes of the State of Montana, 1907," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 57, by Carll, entitled, "An Act providing for the levy of school district taxes in excess of ten mills when authorized by vote of the qualified electors of such district, who are taxpayers therein," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Shaw of the Committee on Waterways and Navigation reported as follows:

Mr. Speaker: We, your Committee on Waterways and Navigation, having

had under consideration House Joint Memorial No. 2, introduced by Kemmis, entitled, "A Resolution memorializing Congress to relinquish and cease to exercise its jurisdiction over the Missouri and Yellowstone rivers in the State of Montana," beg leave to report back to the House with the recommendation that the same be referred to the Committee on Federal Relations." Report adopted.

Lemmon from the Committee on Corporations other than Municipal reported as follows:

Mr. Speaker: We, your Committee on Corporations other than Municipal, having had under consideration House Bill No. 28, by Dodds, being a Bill for an Act entitled, "An Act to impose a license tax upon every person, company and corporation engaged in mining metals in the State of Montana and to provide for the enforcement thereof," respectfully beg leave to report as follows: That the same be re-committed to the Committee on Ways and Means.

Report adopted.

Shaw of the Committee on Waterways and Navigation reported as follows:

Mr. Speaker: We, your Committee on Waterways and Navigation, having had under consideration House Bill No. 53, introduced by Bernard, entitled, "An Act to regulate the driving, storage and handling of saw logs and other timber products on the small navigable streams of this State," beg leave to report back to the House with the recommendation that the same do pass.

Report adopted and Bill referred to Printing Committee.

Andersen from the Committee on Mileage and Per Diem reported as follows:

January 17, 1917.

Mr. Speaker: We, your Committee on Mileage and Per Diem of the members of the Fifteenth Legislative Assembly, beg leave to submit the following amendments to report dated January 5, and recommend that the same be adopted:

That the mileage of Frank T. Kelsey of Morehead was 1018 miles instead of 894 miles; distance traveled by stage 248 miles instead of 124 miles, and the amount paid him \$101.80 instead of \$89.40.

That the mileage of Dwight M. Mason of Ronan was 326 miles instead of 798 miles; by stage 50 miles, and the amount paid him \$32.60 instead of \$79.80.

That the mileage of John R. Page of Drummond was 196 miles instead of 152 miles, and that the sum paid him was \$19.60 instead of \$15.20.

That the mileage of M. Sektnan of Glasgow was 780 miles instead of 564 miles and the amount paid him \$78.00 instead of \$56.40.

That the total mileage of all members was 37,822 miles and that the total amount paid was \$3782.20.

This amended report is made in order that the Journal of the House may be correct.

Morrow of the Committee on Banks and Banking reported as follows:

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 10, introduced by Mason, entitled, "An Act to provide for a maximum rate of interest on loans of money, providing a penalty for violation thereof; and to repeal Sections 1, 2, 3 and 4 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, and repealing Section 5212 of the Revised Codes of 1907, and of the amendment thereto by Chapter 36, Section 5212 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana," respectfully beg to report as follows: That the Bill be referred back to the House and that the same do not pass.

The following report was received from a minority of the Committee on Banks and Banking:

Helena, Montana, January 17, 1917.

Mr. Speaker: We, a minority of your Committee on Banks and Banking, having had under consideration House Bill No. 10, a Bill for an Act entitled, "An Act to provide for a maximum rate of interest on loans of money, providing a penalty for violation thereof, and amending Chapter 36 of the Session Laws of the Thirteenth Legislative Assembly," respectfully beg leave to report as follows: That we recommend that said Bill be amended by striking out in the first paragraph thereof the figures and words "eight per cent (8%) per annum" and inserting in lieu thereof the figures and words "ten per cent (10%) per annum," and

that said Bill as amended be reported back to the House with the recommendation that it do pass.

(Signed)

DWIGHT M. MASON,  
C. J. BALDWIN,  
J. A. MORROW.

Minority report adopted, and Bill referred to Printing Committee.

Sand from the Committee on Townships and Counties reported as follows:

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 42, respectfully beg leave to report as follows: That the words "and surgeon duly licensed to practice medicine and surgery in the State of Montana," be inserted after the word physician in Section 1, and that the Bill so amended do pass.

Report adopted and Bill referred to Printing Committee.

Hurd of the Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, herewith submit the personnel of the House of Representatives, with the vocation of each member to be read so that those who desire to make any corrections will please make them now as we are nearly prepared to send copy for the book of rules and order to the printer.

Report read and approved.

#### INTRODUCTION OF BILLS AND MEMORIALS.

H. B. No. 76, introduced by O'Brien: A Bill for an Act entitled, "An Act to extend and define the boundaries of Silver Bow County, and to alter the boundaries of Deer Lodge County to conform thereto." Read first and second times and referred to Committee on New Counties and Divisions.

H. B. No. 77, introduced by Holt: A Bill for an Act entitled, "An Act to allow a charge or penalty to be paid the shipper by railroad companies for delay in furnishing after a certain time after demand, any car or cars or facilities for shipment of freight, or for delay by the railroad companies in promptly transporting and delivering to the consignee any freight received by it for delivery and providing a penalty and attorney's fees." Read first and second times and referred to Committee on Railroads and Transportation.

H. B. No. 78, introduced by Harbert: A Bill for an Act entitled, "An Act to amend Sections 786, 2196 and 2197 of the Revised Codes of Montana of 1907, relating to the investment of permanent common school funds and other permanent funds of the State of Montana, by changing the provisions governing the investment of such funds and adding provisions thereto, so that the earnings of such funds shall be increased, and repealing all laws or parts of laws in conflict with this Act." Read first and second times and referred to Committee on Judiciary.

H. B. No. 79, introduced by Burnworth: A Bill for an Act entitled, "An Act to amend Section 3855, Laws of 1907, so that certain assignments of stock certificates shall be considered prima facie evidence of fraud, when writs of attachment or writs of execution are levied on said stock." Read first and second times and referred to Committee on Judiciary.

H. J. M. No. 4, introduced by Committee on Public Morals, Charities and Reforms: A Memorial memorializing Congress to submit an amendment to the Constitution of the United States prohibiting polygamy. Read first and second times at length and referred to Committee on Federal Relations.

#### MOTIONS AND RESOLUTIONS.

Weil: I move that the Chairmen of the Standing Committees of the House be asked to file with the clerk, at or before the convening of the House, any notices of the meeting of their respective Committees for that day; and that the clerk be instructed to post on the blackboard the time and place of such meeting opposite the name of the Committee that is called to meet. Motion carried.

Gould: I move that the House Tax Investigating Committee be authorized to employ such help and incur such expense as may be deemed necessary by the said Committee, and that the appropriation for incidental expenses be made available for the purpose of paying for said help and expenses. Motion carried.



Andrew: Whereas, it has become apparent that the number of Bills to be printed as provided for in the rules, namely—400 copies, is insufficient for the needs of the membership of the House, and

Whereas, the Honorable Senate has decided to have printed 500 copies of the Bills of that body,

Therefore, be it Resolved, that the Printing Committee of the House be instructed to provide 500 copies of all Bills ordered to be printed by the House.

On motion of McMahon, Resolution referred to Committee on Rules, Joint Rules and Order of Business.

McMahon: I move that the Select Committee, that made the contract for the printing of the proceedings of the House, be instructed to arrange for the compilation and printing of the "Status of Bills," at least once a week for the rest of the session. Motion carried.

Kemmis: I move that the Printing Committee be instructed to have one hundred fifty extra copies of the Rules printed, same to be furnished to the Secretary of State with instructions to place copies on the desks of the members of the Sixteenth Legislative Assembly. Motion carried.

Gould: I move that the Chief Clerk of the House be instructed to strike from the House pay roll the names of R. E. Haislop, George Murray, William O'Connell, Lee Woods, George Chapman and John Monahan, and to notify these people that their services are no longer necessary or required.

Farmer: As a substitute motion, I move that the motion of Gould be laid on the table.

Roll call demanded and substitute motion carried by following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Demel, Dodds, Duffy, Farmer, Fishbaugh, Fuller, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMahon, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Searles, Shaw, Spain, Stimpert, Ward, Weil, Working—70.

Noes: Buell of Gallatin, Burnworth, Davis, Deibel, Eaton, Gould, Griffin, Harmon, Higgins, Holt, Johnston of Ravalli, Kelsey, Kemmis, McDonald, Mason, Phelps, Sand, Scott, Sektnan, White, Mr. Speaker—21.

Absent and not voting: Eliel, Flanigan, McClory, Wheat—4.

On motion of Higgins, Mr. Speaker appointed the following Committee to draw a suitable Resolution on the death of Admiral Dewey: Higgins, Demel, Mason.

The following Resolution was read:

WHEREAS, It has been found that the Fifteenth Legislative Assembly is confronted with the imperative necessity of making some provision for typewriters to aid in the transaction of the business of the session, and it has been found that there are a number of old typewriters which are owned by the Legislature and which are to all intents and purposes wholly worthless, and

WHEREAS, It has also been found that there are not enough typewriting machines now available for the transaction of the business of the session, and the business of the session will be greatly hampered later on, and inasmuch as it has been found that the ownership of these old machines is a menace and needless and dead expense to the Legislature,

NOW, THEREFORE, BE IT RESOLVED, That the Sergeant-at-Arms be instructed to list by number all the old blind Remington machines and other Remington machines that are not now available for service and all old worthless Underwood machines, and that the House appoint a Committee of three members to immediately negotiate with the representatives of the typewriter companies above mentioned and secure from them the best possible price for such old and worthless machines in the way of an allowance on new machines and that said Committee be authorized to consummate the best possible deal with such representatives for such old machines that are found to be wholly worthless and of no use whatever.

(Signed) J. A. RAINEY.



Belden: I move that the Resolution be amended so as to give the Committee, when appointed, power to sell all of the machines that are out of order.

Motion carried and Resolution, as amended, adopted.

### CONSIDERATION OF MESSAGES FROM SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, January 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times and referred as follows:

S. B. No. 42, introduced by Dwight: A Bill for an Act entitled, "An Act establishing and defining definitely the boundary line between Sanders and Flat-head Counties, Montana." Referred to Committee on Counties and Towns.

S. B. No. 43, introduced by Healy: A Bill for an Act entitled, "An Act to punish assaults upon and interference with conductors, engineers, brakemen and other persons in charge of the operation of railroad trains or cars or locomotives." Referred to Committee on Railroads.

S. B. No. 44, introduced by Hurd: A Bill for an Act entitled, "An Act establishing the Eastern Montana State Normal School, defining the objects of its establishment, providing for the control, supervision and management thereof, changing the name of the State Normal College located at Dillon, Montana, and making an appropriation for the construction of the necessary buildings and the support and maintenance thereof." Referred to Committee on Education.

S. B. No. 45, introduced by Kinney: A Bill for an Act entitled, "An Act to amend Section 50 of Chapter 89 of the Laws of 1915 entitled, 'An Act regulating the business of banking, providing for the creation and regulation of banking corporations, creating the department of banking and prescribing the duties and fixing the salaries of its officers and employees and repealing Title II, Part IV of Division I of the Civil Code of Montana, entitled, 'Banks and Banking Corporations,' being the provisions of Sections 2909 to 4015, both numbers inclusive, Revised Codes of Montana, 1907, and all Acts amendatory thereof,' relative to the designation of reserve banks." Referred to Committee on Banks and Banking.

S. B. No. 46, introduced by Brower: "A Bill for an Act entitled, "An Act for an Act relating to the sale and assignment of mortgages on farm lands, together with the evidences of indebtedness thereby, in which the moneys belonging to the permanent common school and other permanent State educational, charitable and penal institutions shall be invested by the State Board of Land Commissioners." Referred to Committee on Public Lands.

S. B. No. 47, introduced by Whiteside: A Bill for an Act entitled, "An Act to provide an improved system of recording land titles and fixing penalties for violations of this Act." Referred to Committee on Public Lands.

Senate Resolution No. 1, introduced by Burla: Memorializing the Congress of the United States for the early consideration of water power legislation. Read and adopted.

Senate Joint Resolution No. 1, introduced by Larson: Petition to Congress to enact a law admitting to citizenship one George Washington Taylor, formerly known as Sing On, born within the empire of China. Referred to Committee on Federal Relations.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee, to whom was referred Senate Bill No. 36, introduced by Burlingame, being "An Act to amend Chapter Two, Title Two, Part Two of the Code of Civil Procedure of Montana, relating to adverse possession of real estate," having had same under consideration, recommends that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Hogan: A Bill for an Act entitled, "An Act requiring all railroad corporations operating in the State of Montana, and having repair shops within the State, to have all defective or broken cars, coaches, locomotives, or other equipment owned or leased by said corporation repaired, renovated or rebuilt in the State of Montana, and providing for a penalty for the violation of this Act."

By Haley: A Bill for an Act entitled, "An Act for the purpose of providing for the distribution of money now held in the teachers' pension fund."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that by and with the consent of the Senate, Governor S. V. Stewart this day appointed Mrs. Robert A. Ridge, of Yellowstone County, a member of the State Board of Charities and Reform for the term ending March 2, 1919; this appointment being made to fill the vacancy caused by the resignation of Mrs. E. B. Weirick. Appointment confirmed by the Senate.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee, to whom was referred Senate Bill No. 30, introduced by Jones, being "An Act to amend Section 9029 of the Revised Codes of Montana, 1907, relating to the time within which an indictment for crime may be found or an information or complaint filed; and providing for excepting time during which the defendant is outside of the State," having had same under consideration, recommends that the same do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

McMahon from the Committee on Rules, Joint Rules and Order of Business, reported as follows:

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration the proposed change in the Rules of the House to provide 500 printed copies of all Bills, recommend that the Rules be amended to this effect. Report adopted.

On motion of Baldwin, House recessed until 2:00 P. M.

#### AFTERNOON SESSION.

House reassembled at 2:00 o'clock P. M.

Mr. Speaker in the Chair.

Roll called. Quorum present.

On motion of McMahon, the House resolved itself into a Committee of the Whole for the consideration of General Orders.

#### GENERAL ORDERS.

Blake in the Chair.

Blake from the Committee of the Whole reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration House Bill No. 20, beg leave to report the same back with the recommendation that it be re-referred to the Judiciary Committee.

Also having had under consideration House Bill No. 3, beg leave to report the same back with the recommendation that it do pass. Report adopted.

On motion of Higgins, House adjourned at 2:45 P. M. until 11:00 o'clock A. M. Thursday, January 18, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## EIGHTEENTH DAY

Thursday, January 18, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present except Eliel.

Ironside of the Committee on Journal reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the seventeenth day and find the same to be correct. Report adopted.

## NOTICES OF BILLS.

By Husser: "An Act entitled, "An Act to make available for use of the State Board of Health all funds deposited in the State Treasury to the credit of the State Board of Health Maintenance Fund."

By Husser: "An Act to prevent infant blindness caused by the preventable disease known as ophthalmia neonatorum."

By Quaintance: "An Act prohibiting the herding of sheep within certain limits, and providing a penalty for the violation thereof."

By Quaintance: "An Act relating to the grazing of sheep on cattle ranges, and declaring the same to be a misdemeanor."

By Henderson: "An Act to amend Section 13 of Chapter 122 of the Session Laws of the Fourteenth Legislative Assembly, relating to the registration of electors, and change of voting precinct."

By Carl: "An Act to amend Sections 1611, 1913 and 1618 of the Revised Statutes of the State of Montana relating to the regulation of the practice of optometry, and to prevent ignorant, unprofessional or incompetent persons from practicing same."

By Hathaway and Mason: "An Act creating a mother's pension and to provide for financial aid in the care of dependent children in their own homes under the direct care of the mother of such children, whose father is dead or an inmate of some Montana State institution, or who is physically or mentally unable to work and who has for a period of two years or more failed to provide for said children, or whose father has abandoned his family and such abandonment has continued for more than one year, and whose mother is financially unable to support such children, and to repeal Sections 1, 2, 3, 4, 5, 6 and 7 of Chapter 86 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana of 1915."

By Frank Walker: "An Act requiring that all Representatives elect to the Montana Legislature shall pass a satisfactory examination in parliamentary rules, to be held by the Secretary of State, before taking the oath of office as a member of the House."

By Morrow: "An Act to amend Sections 3930 and 3951 of the Revised Codes of the State of Montana, 1907."

By Bernard: "An Act to amend Section 546 of the Revised Codes of 1907, relating to ballots and voting and providing for the furnishing of official ballots and sample ballots by the County Clerk at General Elections held in the State."

By Bernard: "An Act making the Board of Railroad Commissioners of the State of Montana ex-officio a public service commission for the regulation and control of certain public utilities, prescribing the manner in which such public utilities shall be regulated and controlled, requiring such public utilities to furnish reasonably adequate service and facilities, prohibiting unjust and unreasonable charges for services rendered by such public utilities, providing penalties for violation of the provisions of this Act, authorizing such public service commission to appoint an expert engineer and to employ clerks and assistants and making an appropriation for carrying out the provisions of this Act." Approved March 4, 1913.

By Ashby: "An Act to provide for the payment to Thomas Daly of the sum of Twelve Hundred Dollars for reimbursement of moneys paid by him in satisfaction of a judgment for Twenty-five hundred dollars rendered against him for damages in performance of his duties as a Deputy State Fire Marshal."

By Grimes: "An Act appropriating money to the County of Silver Bow as a refund for money erroneously collected and paid into the State Treasury."

By Morrow: "An Act to amend Chapter 2, Part 2, Title 9 of the Revised Codes of the State of Montana, 1907, relating to execution."

### REPORTS OF STANDING COMMITTEES.

Hurd from the Committee on Printing reported as follows:

Mr. Speaker: We, your Printing Committee, to whom was referred the printing of House Bills Nos. Nine (9), Eighteen (18), Thirty-seven (37), Forty (40), Forty-three (43), Forty-seven (47), Forty-nine (49) and Fifty-four (54), beg leave to report that the same have been correctly printed."

Report adopted, and Bills placed on General Orders.

Jensen from the Committee on Highways reported as follows:

Mr. Speaker: We, your Committee on Highways, beg leave to recommend that H. B. No. 41, introduced by Burnworth, H. B. No. 32, introduced by Anderson, and H. B. No. 51, introduced by Jensen, be referred to the Joint Highways Committee of the House and the Senate. The bills being referred to assist the Committee in drafting suitable road laws, to be submitted to the Legislature at this session.

The Committee selected are Representative D. L. McQuarrie, C. A. Rasmussen and E. C. Baxter of the House; Senators W. E. Jones, D. Healey and W. S. Haley of the Senate."

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 75 by Bernard and Dodds, a bill for an Act entitled, "An Act to amend Section 3246 of the Revised Codes of Montana, 1907, relating to the compensation of city clerks," respectively beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 69 by Griffin, a bill for an Act entitled, "An Act to regulate the manner of sales of real estate under a power of sale in mortgage, providing for redemption therefrom and providing a method of ascertainment of attorneys fees when property is sold under mortgage by virtue of a Power of Attorney contained therein," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 62 by Murray, a bill for an Act entitled, "An Act to amend Section 3246 of the Revised Codes of Montana of 1907, relating to salary of Clerk," respectfully beg leave to report as follows: That it be amended as recommended, and as amended, it be reported back to the House with the recommendation that it do pass.

Report adopted and bill referred to Printing Committee.

Duffy from the Committee on Federal Relations reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 2, introduced by Kemmis, "A Resolution memorializing Congress to relinquish and cease to exercise its jurisdiction over the Missouri and Yellowstone rivers in the State of Montana," respectfully beg leave to report as follows: That the same do pass.

Report adopted and Resolution referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 64 by Harbert, a bill for an Act entitled, "An Act to amend Section 3214 of Chapter 3 of the Revised Codes of the State of Montana relating to the extension of corporate limits over contiguous platted tracts," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consid-



eration House Bill No. 44 by Murray, a bill for an Act entitled, "An Act to make each and every Saturday of the year after 12 o'clock noon, beginning with the first Saturday in May and ending with the last Saturday of September, a legal half holiday for State, County and Township officers," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 65 by Carll, a bill for an Act entitled, "An Act providing how candidates for the office of Trustees of School Districts may be nominated," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Duffy from the Committee on Federal Relations reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 4, introduced by Committee on Public Morals, Charities and Reforms, "A Memorial memorializing Congress to submit an amendment to the Constitution of the United States prohibiting polygamy," respectfully beg leave to report as follows: That the same do pass.

Report adopted and Memorial referred to Printing Committee.

White from the Committee on Appropriations reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Joint Resolution No. 1, introduced by Harbert, "A Resolution memorializing Congress for an appropriation of One Million Dollars for the Flathead Irrigation project for the ensuing year," report same back to the House with the recommendation that it do pass.

Report adopted and Resolution referred to Printing Committee.

Duffy from the Committee on Federal Relations reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Resolution No. 2, introduced by Harbert, "A Resolution memorializing Congress for the passage of hydro-electric power legislation that will enable the Government to lease power sites to private legitimate enterprises under proper rules and regulations," respectfully beg leave to report as follows: That the same do pass.

Report adopted and Resolution referred to Printing Committee.

Murray of the Committee on Labor reported as follows:

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 35, introduced by Rainey (by request), a bill for an Act entitled, "An Act to regulate the practice of barbering, the licensing of persons to carry on such practice and to insure the better education of such practitioners in the State of Montana," beg leave to report same back to the House with the recommendation that it do not pass. Report adopted.

Kehoe of the Committee on Ways and Means reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 61, introduced by Baxter, a bill for an Act entitled "An Act to provide a license tax on the annual net proceeds of all gold, silver, sapphire, copper, or lead mines or mining claims, and power plants deriving their power from the use of any stream, lake, or waterfall in this state, and a license tax on oil, gas and coal production in this State, and providing penalties for a violation of the provisions of this Act," respectfully beg leave to report as follows: That this bill be reported back to the House and recommend that same be printed, but that the committee be given authority to retain these bills for final action until after the report of the Committee appointed to investigate the tax situation of the State.

Report adopted and Bill referred to Printing Committee.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment to whom was referred House Bill No. 31, introduced by Demel, beg leave to report same back as correctly engrossed."

Report adopted and Bill placed on Calendar for third reading.

Kehoe from the Committee on Ways and Means reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under

consideration House Joint Memorial No. 3, introduced by Harbert, "Memorializing Congress of the United States for a biological survey of Flathead, Whitefish and Swan Lakes," respectfully beg leave to report as follows: That this Memorial be reported back to the House with the recommendation that it be referred to the Committee on Federal Relations. Report adopted.

Mason from Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration report of Committee on House Employees, respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that the names of George Chapman, Lee Wood, W. O'Connell, John Monahan, R. E. Halslop, George Murray, M. Narvares, George Murphy, A. Sherman, E. Oppel and A. Bennett, as recommended by said committee on House Employees, be stricken from the pay roll, and that the names of C. J. Morrill, Sarah Touhill, Dan Yancy, Miss Adams, Miss Eldrid, and Miss Nan Becker shall not be placed upon the pay roll. Report adopted.

Higgins: I move to reconsider vote by which report of the Judiciary Committee was adopted.

Lusk: I move that motion to reconsider be laid on the table.

Motion to lay on table carried by vote of 46 to 41.

Deibel of the Committee on State Institutions, Public Buildings and Grounds, reported as follows:

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration the report of the Conditional Pardons and Commutations of Sentence, transmitted by the Governor, respectfully beg leave to report as follows: That we sustain the action of the Board of Pardons. Report adopted.

Deibel of the Committee on State Institutions, Public Buildings and Grounds reported as follows:

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 46, introduced by Murray, a Bill for an Act entitled, "An Act to provide for financial aid in the care of dependent children in their own homes under the direct control of the mothers of such children, whose fathers are inmates of some Montana State Institution of Charity or Correction or who are physically or mentally unable to work or who have for a period of two years or more failed to provide for said children, and whose mothers are wholly dependent upon their labor for support," respectfully beg leave to report the same back to the House with the recommendation that Bill do pass.

Report adopted and Bill referred to Printing Committee.

#### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 80, introduced by Holt: A Bill for an Act entitled, "An Act to amend Section 7166 of the Revised Codes and providing for the assessment of an attorney's fee in actions for the foreclosure of liens of mechanics and others upon real property." Read first and second time and referred to Judiciary Committee.

H. B. No. 81, introduced by Holt: A Bill for an Act entitled, "An Act providing for the installation of sanitary drinking fountains in all hotels, located in towns or cities in this State wherein a water works system has been or may hereafter be installed, and providing penalties for failure to comply herewith." Read first and second times and referred to Committee on Sanitary Affairs.

H. B. No. 82, introduced by Rainey. A Bill for an Act entitled, "An Act to amend Section 7731 of the Revised Codes of 1907 relating to the payment of inheritance tax to County Treasurers and Receipts." Read first and second time and referred to Committee on Judiciary.

H. B. No. 83, introduced by Ironside. A Bill for an Act entitled, "An Act providing for an eight hour day for all employees earning wages, and extra compensation for over time." Read first and second time and referred to Committee on Labor.

H. B. No. 84, introduced by Andersen: A Bill for an Act entitled, "An Act to amend Chapter 110 of the Laws of the Twelfth Legislative Assembly of

the State of Montana, defining itinerant vendors; to regulate the licensing of the same; to fix the amount of such licenses; to provide for penalties for violation of such regulation and for other purposes." Read first and second time and referred to Committee on Judiciary.

H. B. No. 85, introduced by Demel. A Bill for an Act entitled, "An Act changing and defining the boundaries of Yellowstone and Stillwater counties." Read first and second time and referred to Committee on New Counties and Divisions.

H. B. No. 86, introduced by Working. A Bill for an Act entitled, "An Act to amend Section 3169 of the Revised Codes of Montana of 1907, relating to the fees of the clerk of the district court." Read first and second time and referred to Committee on Judiciary.

### MOTIONS AND RESOLUTIONS.

Blodgett: Inasmuch as the investigating committee is now entitled to request the appointment of stenographers, clerks and such other help as they may need, I move that any of such help be examined by the Committee on House Employees as to their qualifications to serve. Motion carried.

Sand: A mistake seems to have been made in the report of the Committee on Townships and Counties on House Bill No. 42 and I move that this Bill be re-referred to that Committee for further consideration. Motion carried.

### CONSIDERATION OF MESSAGES FROM SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, January 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Dwight: A Bill for an Act entitled, "An Act prescribing the minimum movement for twenty-four hour period of a loaded freight car, and providing a penalty for the violation thereof."

By Gallwey: A Bill for an Act entitled, "An Act relating to and regulating the manufacturing, keeping, storage, transportation and sale of explosives, and providing penalties for any violation of the provisions thereof."

By Whiteside: A Bill for an Act entitled, "An Act to provide for the sale of bonds and securities held by the State."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Apportionment and Representation, to whom was referred Senate Bill No. 7, being "An Act dividing the State into two Congressional districts and amending Section 47, Montana Revised Codes, 1907," having had same under consideration, recommends that same do pass.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Public Lands, to whom was referred Senate Bill No. 40, having had same under consideration, reported same back with the recommendation that same do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Federal Relations, to whom was referred Senate Joint Memorial No. 1, having had same under consideration, reported back with the recommendation that the same do pass.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body



that the Committee on Roads, Highways and Bridges, to whom was referred House Bill No. 5, being "An Act relating to Bridges within any city or town upon a highway crossing a natural stream separating one part from another part of any county in which such city or town is situated and providing for the construction and maintenance of such bridges and their approaches," having had same under consideration, recommends that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times, and referred as follows:

S. B. No. 48, introduced by Stevens: A Bill for an Act entitled, "An Act to amend Sections 24, 25, 26, 27, 28, 30, 31, 33, 34, 39, 40, 42, 45 and to reenact Sections 23, 29, 32, 35, 36, 37, 38, 41, 43, 44 and to repeal Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 14, 15, 16 17, 18, 19, 20, 21, 22 and 46 of Chapter 93 of the Laws, Resolutions and Memorials of the State of Montana passed by the Fourteenth Legislative Assembly, and to add a new Section providing for the continuation of all bonds, licenses and receipts given or issued pursuant to the provisions of said Chapter." Referred to Committee on Agriculture.

S. J. R. No. 3, introduced by Hogan: Resolution relating to increase in compensation in the Federal Mail service. Referred to Committee on Railroads.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Harbert, House reverted to sixth Order of Business.

#### MOTIONS AND RESOLUTIONS.

The following Resolution was received and read:

WHEREAS, The general principle of the Primary System meets with the approval of this Legislative Body, but the law as it now appears on our statutes is expensive, cumbersome and not workable to the extent that it should be,

THEREFORE, BE IT RESOLVED, That a Joint House and Senate Committee, consisting of eight members, be appointed. Four members of such Committee to be appointed by the Speaker of the House, selecting two members from the Republicans and two members from the Democrats; and four members to be appointed by the Committee on Committees of the Senate, selecting two members from the Republicans and two members from the Democrats. The duty of said Joint Committee shall be to frame and introduce a Bill making the Primary law less cumbersome, less expensive and more operative. All members of the House and Senate are requested to submit in writing to this Committee their views with reference to the amendment and changes that should be made in the present Primary Law.

(Signed) HARBERT,  
MASON.

Resolution adopted.

Mr. Speaker appointed the following committee on the purchase of typewriters: Rainey, Johnson of Deer Lodge and Sand.

On motion of Mason, House recessed at 12:00 o'clock noon until 2:00 o'clock P. M.

#### AFTERNOON SESSION.

House resumed at 2:00 o'clock P. M.

Mr. Speaker in the Chair.

Roll called. Quorum present.

#### THIRD READING OF HOUSE BILLS.

H. B. No. 31, having been read three several times was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter,



Crismas, Crowley, Demel, Deibel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Flanagan, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—90.

Noes: None.

Absent and not voting: Belden, Davis, Eliel, Fuller, Harmon—5.

Title agreed to.

On motion of Murray, House resolved itself into a Committee of the Whole for consideration of General Orders.

### GENERAL ORDERS.

Higgins in the chair.

House resumed.

Mr. Speaker in the Chair.

Higgins from the Committee of the Whole reported as follows:

Mr. Speaker: Your Committee of the Whole to whom was referred H. B. No. 9, a Bill for an Act entitled, "An Act relating to the levying of a tax in cities having less than 50,000 population for the purpose of creating a Municipal Band fund, and providing for the election for this purpose," having had same under consideration beg leave to report same back to the House with the recommendation that it do not pass.

Also having had under consideration House Bill No. 37, a Bill for an Act entitled, "An Act to amend Section 7724 of the Revised Codes of Montana, and providing for the payment of an inheritance tax upon real property, as well as personal property, when the same passes to direct heirs," report same back to the House with the recommendation that it be re-referred to the Committee on Ways and Means.

Also having had under consideration H. B. No. 18, a Bill for an Act entitled, "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article 12 of the Constitution of the State of Montana providing that evidences of debt shall be exempt from taxation," report same back to the House with the recommendation that it do pass.

Also having had under consideration H. B. No. 40, a Bill for an Act entitled "An Act for the submission to qualified electors of the State of Montana, relating to Public Indebtedness," report same back to the House with the recommendation that same do pass as amended.

Also having had under consideration House Bill No. 43, a Bill for an Act entitled, "An Act to amend Section 79 of Chapter 1, of the laws of the Fourteenth Legislative Assembly of the State of Montana, 1915, providing for salaries of Legislative Officers," report the same back to the House with the recommendation that same do pass, as amended.

Also having had under consideration House Bill No. 47, a Bill for an Act entitled, "An Act to amend Section 9289 of the Revised Codes of the State of Montana, 1907, relating to the evidence necessary to convict of the crime of obtaining money or property by false pretense," report same back to the House with the recommendation that it do pass.

Also having had under consideration House Bill No. 49, a Bill for an Act entitled, "An Act to amend Section 5177 Revised Codes of Montana, 1907, relating to defrauding the owner of an inn or hotel, owner of cafe, restaurant, apartment, rooming or boarding house, and providing penalty for violation thereof," report same back to the House with the recommendation that it do pass.

Also having had under consideration House Bill No. 54, a Bill for an Act entitled, "An Act to prohibit constables from practicing law, performing legal duties, taking claims for collection or participating in proceedings or cases in any courts in the State of Montana," report same back to the House with the recommendation that it do pass, as amended.

Report of the Committee of the Whole adopted, and House Bills Nos. 18, 40, 43, 47, 49 and 54 referred to Engrossing Committee.

On motion of McMahon, House reverted to First Order of Business.

### COMMUNICATIONS AND PETITIONS.

The following communications were received:

State Historical and Miscellaneous Library, Helena, Montana, January 8, 1917.  
Hon. James F. O'Connor, Speaker of the House.

Sir: The Trustees and Officers of the Historical and Miscellaneous Library would be very much gratified if the honorable members of the House will consent to have their photographs taken individually for the purpose of constituting the historical group which is usually taken for the use of the Library. It is an agreeable manner of preserving the history of the members. Mr. Culbertson, the artist, is most competent, and is desirous of arranging to do this work.

Very respectfully,

(Signed) W. Y. PEMBERTON, Librarian.

Helena, Montana, January 18, 1917.

Mr. Speaker: Notice is hereby given that the Senate and House Tax Investigating Committee will hold a joint public hearing at 7:30 P. M. this day, at the Commercial Club room of this city, for the purpose of investigating the taxable property (and taxes paid on same), of the Anaconda Copper Mining Company and hearing their representatives. All are invited.

(Signed) M. E. GOULD,

Chairman of House Committee.

On motion of Cotter, House proceeded to Second Order of Business.

### NOTICES OF BILLS.

By Griffin: "An Act to regulate the manner of sales of real estate under a power of sale in mortgages, providing for redemption therefrom, and providing a method for the ascertainment of attorneys fees when property is sold under mortgage by virtue of a power of attorney contained therein, and to repeal all acts in conflict therewith."

By Cotter: "An Act creating the Montana State Geological Survey, providing for the appointment for State Geologist providing for the issuance of pamphlets on the mineral resources of the State for the information of the general public and appropriating money for the carrying out of the provisions of this act."

By Ward: An Act to amend Section 6339, Codes of Civil Procedure, Revised Codes of Montana, 1907, exempting from jury duty regularly licensed embalmers and undertakers."

On motion of Stimpert, House proceeded to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

The following Resolution was read and adopted:

WHEREAS, the distinguished Senator from Cascade county has met with an accident and sustained a painful injury, and

WHEREAS, this injury will cause an enforced absence from his duties as a member of the upper house of the Fifteenth Legislative Assembly,

THEREFORE, BE IT RESOLVED, That the lower House of the Fifteenth Assembly express its sympathy to Senator Burlingame and the hope that he shall soon recover and return to his duties and that he will feel no lasting effects from his injury, and that it be further

RESOLVED, That the Chief Clerk be instructed to mail a copy of these resolutions to Senator Burlingame.

(Signed) STIMPERT.

On motion of Belden, House reverted to Fifth Order of Business.

### INTRODUCTION OF BILLS AND SECOND READING OF SAME.

H. B. No. 87, introduced by Belden: A Bill for an Act entitled, "An Act to provide for an additional Judge for the Tenth Judicial District of the State of

Montana so that there will hereafter be two judges in said district. Read first and second time and referred to Committee on Judiciary.

On motion of Lemmon, House adjourned at 3:45 P. M. until 11:00 A. M. Friday, January 19, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## NINETEENTH DAY

Friday, January 19, 1917.

House met at 11:00 o'clock A. M. pursuant to adjournment.

Speaker pro tem in the chair.

Prayer by Chaplain.

Roll called. All members present except Eliel.

Ironsides from the Committee on Journal reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the Eighteenth day and find the same to be correct. Report adopted.

### COMMUNICATIONS AND PETITIONS.

A letter was received from M. H. Worden, Cashier of the First National Bank at Browning, Montana, stating that that bank approved of the Torrens system of land titles.

Telegrams were received from William Smith of Big Sandy, John C. Nelson of the City Feed Yards, Big Sandy, and Simon J. Mohr, agent of the Mutual Oil Company at Big Sandy, asking the members of the House to vote for House Bill No. 84.

It was announced that the Rev. Robert C. Edgington, Pastor of the Methodist Episcopal Church, would on Sunday morning preach a sermon to the members of the Legislature, and all Representatives were invited to attend.

### NOTICES OF BILLS.

By Hawks: An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 6 of Article XVI of the Constitution of the State of Montana, relating to Municipal Corporations and Officers.

By Husser: An Act appropriating money for the Equipment and Maintenance of the North Montana Agricultural and Manual Training School for two years commencing March 1st, 1917, and ending February 28, 1919.

### REPORTS OF SELECT COMMITTEES.

The Select Committee appointed by the Chair to draw up a Resolution on the death of Admiral Dewey, submitted the following:

### RESOLUTION.

WHEREAS, The members of the Lower House of the Fifteenth Legislative Assembly of the State of Montana have learned of the death of Admiral George Dewey, America's best known and most distinguished naval officer; and

WHEREAS, By his sturdy, intrepid character and his unusual naval record he has endeared himself to all America and won the everlasting gratitude of this country; and

WHEREAS, His victorious achievements as commanding officer of the American fleet at the battle of Manila bay during the Spanish-American war placed him among the naval heroes of the United States and of the world; and

WHEREAS, The members of this House learn with sorrow of the death of this distinguished patriot; therefore, be it

RESOLVED, That the members of the Lower House of the Fifteenth Legislative Assembly of the State of Montana publicly express their appreciation of

the services rendered the nation by this distinguished officer and their sympathy to the family of the deceased; and be it further

RESOLVED, That a copy of this resolution shall become a part of and contained in the Journal of the House, and that a copy hereof be sent to the family of the deceased.

Resolution adopted.

Mr. Speaker: We, your Committee on Resolutions on the death of Wm. F. Cody (Buffalo Bill) beg leave to submit the following for your consideration:

WHEREAS, The "Great White Spirit" has called to the border-land beyond the skies the "Idol of the West," Wm. F. Cody (Buffalo Bill) and,

WHEREAS, When the west was young and the cry in the land was "Westward Ho," the sturdy pioneers who blazed the trails to this land of promise numbered among the membership of brave and brilliant manhood, Wm. F. Cody (Buffalo Bill) and,

WHEREAS, The dreaded dangers of early days were done away with the coming of that noble vanguard and the development of the west has since obtained, and

WHEREAS, The achievements of that great scout, scholar and national hero, echoing down the years of evolution; ringing out among the rocky cliffs of the mountain fastness, and reverberating down into the valleys among the peaceful villages that have replaced the hunting grounds of the Redskins, making the wilderness of other days a fleeting memory, and a realization of industries and commerce, and,

WHEREAS, The said Wm. F. Cody (Buffalo Bill) gave to the nation his valuable services with no other thought in mind save than to serve his country, and by so doing, he has endeared himself in the hearts of all of his countrymen,

THEREFORE BE IT RESOLVED, That to add to the appreciation of what the west owed to the achievements of Wm. F. Cody (Buffalo Bill) the Fifteenth Legislative Assembly of the State of Montana mark the passing of that lovable character (Buffalo Bill) by spreading upon the Journal of the House a copy of these resolutions, and

BE IT FURTHER RESOLVED, That a copy be sent to relatives of the deceased in Denver Colo.; that two copies be sent to the Montana Historical Society and that copies be given to members of the press box for publication.

(Signed) JOE H. DUFFY,  
P. N. BERNARD,  
C. A. LEMMON,

Resolution adopted.

Committee.

#### REPORTS OF STANDING COMMITTEES.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 48, by Stimpert, a Bill for an Act entitled, "An Act providing for the creation of commissioner districts within counties and the election of county commissioners from such districts of the several counties in the State of Montana, and repealing all Acts and parts of Acts in conflict with the provisions of this Act," respectfully beg leave to report as follows: That, as amended, it be reported back to the House with the recommendation that it do pass.

Report adopted, and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 80, by Holt, a Bill for an Act entitled, "An Act to amend Section 7166 of the Revised Codes and providing for the assessment of an attorney's fee in actions for the foreclosure of liens of mechanics and others upon real property," respectfully beg leave to report as follows: That, as amended, it be reported back to the House with the recommendation that it do pass.

Report adopted, and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 50, by Farmer, a Bill for an Act entitled, "An Act to Amend Section 3114 of the Revised Codes of 1907," respectfully beg leave to



report as follows: That it be reported back to the House with the recommendation that it do pass.

On motion, Bill re-referred to Judiciary Committee.

Murray from the Committee on Labor reported as follows:

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 29, introduced by Mason, a Bill for an Act entitled, "An Act to amend Section 1739, Revised Codes of Montana of 1907, relating to the hours of labor for municipalities, mines, mills and smelters," respectfully beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 43, introduced by Connolly, beg leave to report same back as correctly engrossed."

Report adopted, and Bill placed on Calendar for Third Reading.

Hurd from the Committee on Printing reported as follows:

Mr. Speaker: We, your Printing Committee, to whom was referred the printing of House Bills Nos. Twenty-three (23) and Twenty-four (24), beg leave to report that the same have been correctly printed.

Report adopted and Bills placed on General Orders.

Page from the Committee on State Lands reported as follows:

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 68, introduced by Ashby, entitled a Bill for an Act entitled, "An Act to amend Sections 8, 10, 22, 53, 54, 55, 56, 57 and 61 of Chapter 147 of the Montana Session Laws of 1909, an Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof and the management, protection and disposition of the timber growing thereon and the coal, oil and minerals therein; providing for the management and control of the funds realized from the sale and rental of state lands and the products thereof; naming and providing for certain officers subordinate to the State Board of Land Commissioners and prescribing their duties and compensation; providing for the acquisition of water rights for use upon state lands; defining and providing for the punishment of certain offenses for violating the provisions of this Act," recommend that the same do pass.

Report adopted and Bill referred to Printing Committee.

#### INTRODUCTION OF HOUSE BILLS AND SECOND READING OF SAME.

H. B. No. 88, introduced by Ingalls. A Bill for an Act entitled, "An Act to establish a State School for Girls prescribing its objects and purposes; providing for its location site, buildings and improvements, maintenance and management; prescribing commitments thereto, appeals, commutations, paroles and discharges, laws for fugitives, aiding escapes and penalties therefor; providing for materials, supplies and appropriations for all said purposes, also for empowering the State Board of Land Commissioners to lease either land or buildings, or both for the same." Read first and second time and referred to Committee on Ways and Means.

H. B. No. 89, introduced by Dodds: A Bill for an Act entitled, "An Act to provide ways and means of compelling support of a wife, child or children, ward or wards, by the husband, father or guardian, and providing penalties for failure to so provide." Read first and second time, and referred to Committee on Public Morals.

H. B. No. 90, introduced by Ashby: A Bill for an Act entitled, "An Act to provide for the payment to Thomas Daly of the sum of Twelve Hundred Dollars for reimbursement of moneys paid by him in satisfaction of a judgment for Twenty-five Hundred Dollars rendered against him for damages in performance of his duties as a deputy state fire marshal." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 91, introduced by Bernard: A Bill for an Act entitled, "An Act to amend section three of an Act entitled, 'An Act making the Board of Railroad Commissioners of the State of Montana ex-officio a public service commission for

the regulation and control of certain public utilities, prescribing the manner in which such public utilities shall be regulated and controlled, requiring such public utilities to furnish reasonably adequate service and facilities, prohibiting unjust and unreasonable charges for services rendered by such public utilities, providing penalties for violation of the provisions of this Act, authorizing such public service commission to appoint an expert engineer and to employ clerks and assistants and making an appropriation for carrying out the provisions of this Act,' approved March 4, 1913." Read first and second time, and referred to Committee on Public Utilities and State Commissions.

H. B. No. 92, introduced by Quaintance. A Bill for an Act entitled, 'An Act prohibiting the herding of sheep within certain limits, and providing a penalty for the violation thereof.' Read first and second time, and referred to Committee on Livestock and Public Ranges.

H. B. No. 93, introduced by Quaintance. A Bill for an Act entitled, "An Act relating to the grazing of sheep on cattle ranges and declaring the same to be a misdemeanor." Read first and second time and referred to Committee on Livestock and Public Ranges.

H. B. No. 94, introduced by Bernard. A Bill for an Act entitled, "An Act to amend Section 546 of the Revised Codes of 1907, relating to ballots and voting and providing for the furnishing of official ballots and sample ballots by the county clerk at general elections held in the state." Read first and second time, and referred to Committee on Privileges and Elections

H. B. No. 95, introduced by Belden. A Bill for an Act entitled, "An Act to provide for the extension of incorporated cities and towns and repealing all Acts and parts of Acts in conflict therewith." Read first and second time, and referred to Committee on Affairs of Cities.

### MOTIONS AND RESOLUTIONS.

H. J. R. No. 6, introduced by Crismas.

WHEREAS, Certain committee clerks of this Assembly who were named during the first week of the session went to work under promise of appointment several days before they were actually nominated; and

WHEREAS, Certain committee clerks who were named during the second week of the session had actually been working since the first of said week, under similar promise of appointment; now, therefore,

BE IT RESOLVED by the House of Representatives, the Senate concurring, that all clerks be paid from the first day of the week in which they were regularly nominated and appointed; and,

BE IT FURTHER RESOLVED that the Chief Clerk of the House and the Secretary of the Senate make such allowance on the payrolls of their respective attaches.

Motion of Higgins to lay resolution upon the table, lost by a vote of 26 to 63.

Higgins: I move to refer resolution to Committee on Judiciary.

Motion lost.

Lusk moved the previous question and resolution was read third time and passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Bail, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Larse, Lemmon, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Wheat, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Working, Speaker pro tem—73.

Noes: Buell of Gallatin, Cotter, Gould, Griffin, Harmon, Higgins, Holt, Kelsey, Kemmis, Lanstrum, Lewis, Lusk, Phelps, Rasmussen, Sand, White—17.

Absent and not voting: Carll, Clark, Eliel, Flanagan, Mr. Speaker—5.

McMahon: I move that vote by which resolution was adopted by reconsidered.

Murray: I move that motion to reconsider be laid on the table.  
Motion to lay on the table carried.

### CONSIDERATION OF MESSAGES FROM SENATE.

The following communications were received from the Senate.

Senate Chamber, January 18, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Engrossing Committee appointed by the Fifteenth Legislative Assembly of the State of Montana reported that Senate Bill No. 22, introduced by Williams, was on January 16, 1917, duly engrossed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 18, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Elections and Privileges, to whom was referred Senate Bill No. 8, having had same under consideration respectfully recommend that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 18, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Printing reported that Senate Bills Nos. 4, 15, 14 and 18 were correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 18, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Counties, Towns and Municipal Corporations, to whom was referred Senate Bill No. 37, introduced by Smith, having had same under consideration, reported back the same with the recommendation that it do not pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 18, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Whiteside: A Bill for an Act entitled, "An Act to create a State Warehouse Commission and to encourage the construction of public warehouses and elevators for the storage of grain and other food products."

By Williams: A Bill for an Act entitled, "An Act to regulate the running at large of bulls on public ranges or national forests in the State of Montana."

By Slayton: A Bill for an Act entitled, "An Act to amend Section 6450 of the Revised Codes of 1907, extending the time in which action for the killing of livestock by railways may be instituted."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 18, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times, and referred as follows:

S. B. No. 49, introduced by Dwight: A Bill for an Act entitled, "An Act prescribing the minimum movement for twenty-four hour period of a loaded freight car, and providing for a penalty for the violation thereof." Referred to Committee on Railroads.

S. B. No. 50, introduced by Morris. A Bill for an Act entitled, "An Act to cede jurisdiction to the United States over that part of the Yellowstone National park in the State of Montana, and for other purposes." Referred to Committee on Federal Relations.

S. B. No. 51, introduced by Gallwey: A Bill for an Act entitled, "An Act relating to and regulating the manufacturing, keeping, storage, transportation

and sale of explosives, and providing penalties for any violation of the provisions thereof." Referred to Committee on Mines and Mining.

S. B. No. 52, introduced by Kinney. A Bill for an Act entitled, "An Act to provide for the issue and sale of bonds, by the State Board of Examiners of the State of Montana, for refunding capitol building bonds of the State of Montana." Referred to Committee on Finance and Claims.

S. B. No. 53, introduced by Whiteside: A Bill for an Act entitled, "An Act to authorize the sale of bonds and other securities belonging to the State of Montana or held in trust by the State and to provide for the refunding of any bonds issued by the State or any subdivision thereof; to provide for the investment of the permanent school fund and other trust funds and authorizing the State Board of Land Commissioners to adopt rules and regulations pertaining to loans made upon farm mortgages." Referred to Committee on Agriculture.

Respectfully,

J. F. CONE, Secretary of the Senate.  
Senate Chamber, January 18, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Federal Relations, to whom was referred Senate Joint Memorial No. 2, having had same under consideration reported same back with the recommendation that same do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.  
Senate Chamber, January 18, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Finance and Claims, to whom was referred Senate Bill No. 38, introduced by Senator O'Shea, being: A Bill for an Act entitled, "An Act to authorize the investment of the permanent funds of the State in Federal Farm Loan Bonds and to amend the first Section of the Initiated law passed by the people at the General Election held November, 1914, by adding another section thereto authorizing the State Board of Land Commissioners to make such investment," reported same back with the recommendation that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.  
Senate Chamber, January 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Banks and Banking, to whom was referred Senate Bill No. 24, introduced by Roberts, having had same under consideration reported same back with the recommendation that the Bill be indefinitely postponed. On motion of Senator Meadors, duly seconded and carried, Senate Bill No. 24 was ordered printed.

Respectfully,

J. F. CONE, Secretary of the Senate.  
Senate Chamber, Helena, Montana, January 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 22, introduced by Williams, having been read three several times and passed, is herewith transmitted for your concurrence.

Respectfully,

J. F. CONE, Secretary of the Senate.  
Senate Chamber, Helena, Montana, January 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Joint Memorial No. 1, introduced by Larson, being "A petition to Congress to enact a law admitting to citizenship one George Washington Taylor, formerly known as Sing On, born within the empire of China," was this day on motion considered correctly engrossed, placed on calendar for third reading, read three several times, title agreed to, and passed, is herewith transmitted for concurrence.

Respectfully,

J. F. CONE, Secretary of the Senate.  
Senate Chamber, January 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body



that the following Bill was this day introduced, read first and second times, and referred as follows:

S. B. No. 54, introduced by Hogan: A Bill for an Act entitled, "An Act providing for the submission to the qualified electors of the State of Montana at the General Election to be held in said State in November, 1918, the question whether shall be a convention to revise, alter and amend the Constitution of the State of Montana." Referred to Committee on Constitutional Amendments.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Burla: A Bill for an Act entitled, "An Act to provide for the appointment of a custodian of the State Capitol, fixing his term of office, defining his duties, powers and authority."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 31, introduced by Demel, being "An Act to amend Section 6870e of the Revised Codes of Montana, enacted in Chapter 113 of the Laws of 1915, so as to avoid the necessity of taking oral testimony before securing an Order for Publication of Summons in an Action to Quiet Title," transmitted to the Senate for concurrence, was this day read first and second times, and referred to the Committee on Constitutional Amendments.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Printing reported that Senate Bills Nos. 2, 3, and 36 and Senate Joint Memorial No. 1 were correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 5, introduced by Stimpert, transmitted to the Senate for concurrence, having been read three several times and concurred in as amended, is herewith returned for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Mason, House recessed at 12:25 P. M. until 1:30 P. M.

#### AFTERNOON SESSION.

House reassembled at 1:30 o'clock P. M.

Speaker pro tem in the chair.

Roll called. Quorum present.

#### THIRD READING OF HOUSE BILLS.

H. B. No. 43, having been read three several times passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Kemmis, Lanstrum, Larse, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Speaker pro tem—85.

Noes: None.

Absent and not voting: Belden, Carll, Clark, Eliel, Flanigan, Harmon, Henry, Lemmon, McDonald, and Mr. Speaker—10.

On motion of McMahon, House resolved itself into a Committee of the Whole for the consideration of General Orders.

### GENERAL ORDERS.

Murray in the chair.

House resumed.

Speaker pro tem in the chair.

Murray from the Committee of the Whole reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 5, introduced by Stimpert, for concurrence in Senate amendments, a Bill for an Act entitled, "An Act relating to bridges within any city or town upon a highway crossing a natural stream separating one part from another of any county in which such city or town is situated and providing for the construction and maintenance of such bridges and their approaches," beg leave to report back to the House with the recommendation that Senate amendments be concurred in.

Also having had under consideration H. B. No. 23, entitled, "An Act to prohibit gambling on games played upon pool and billiard tables, to punish those who participate therein as well as those who conduct or carry on such games, and provide for early closing of all pool halls, billiard halls, bowling alleys and other places where pool or billiards is played," beg leave to report back to the House with the recommendation that same be re-referred to the Judiciary Committee.

Also having had under consideration H. B. No. 24, entitled, "An Act amending Section 459 of the Revised Codes of Montana, 1907, fixing the compensation of Boards of Election," beg leave to report back to the House with the recommendation that same be referred to the Judiciary Committee for correction in title and body of Bill."

Report adopted, and H. B. No. 5 referred to Engrossing Committee.

On motion of Page, House reverted to Fourth Order of Business.

### REPORTS OF STANDING COMMITTEES.

Page from the Committee on State Lands reported as follows:

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 58, introduced by Baxter, a Bill for an Act to amend Sections 24 and 25 of Chapter 147 of the Laws of the Eleventh Legislative Assembly 1909, entitled, "An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof and the management, protection and disposition of the timber growing therein and the coal, oil and minerals therein; providing for the management and control of the funds realized from the sale and rental of state lands and the products thereof; naming and providing for certain officers subordinate to the State Board of Land Commissioners and prescribing their duties and compensation; providing for the acquisition of water rights for use upon state lands; defining and providing for the punishment of certain offenses for violating the provisions of this Act," recommend the Bill be passed as amended.

Report adopted, and Bill referred to Printing Committee.

Gould from the Tax Investigating Committee reported as follows:

Mr. Speaker: Notice is hereby given that the Tax Investigating Committee of the Senate and House will hold a joint hearing at 3:00 P. M. January 19, 1917, in the House Chamber, when the representatives of the Montana Power Company will be heard.

The following notice was read:

Mr. Speaker: There being a limited number of copies of the "Opinions of the Attorney General," and not enough for general distribution, it is necessary that the members requiring the same leave their names with the Sergeant-at-Arms.

On motion of Hurd, House reverted to Sixth Order of Business:

### MOTIONS AND RESOLUTIONS.

Hurd: I move that all original Bills, memorials and resolutions introduced in

this branch be in quadruple form instead of triplicate. Our reason for this request is so the printing clerk and printer may each have a copy to file, as well as the bill clerk and chief clerk, and to eliminate copying of Bills in printing room.

McMahon: As a substitute, I move that the motion of Hurd be referred to the Committee on Rules.

Substitute motion carried.

On motion of Stimpert, House adjourned at 2:45 until 2:00 o'clock P. M., Monday, January 22, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

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## TWENTY-SECOND DAY

Monday, January 22, 1917.

House met at 2:00 o'clock P. M., pursuant to adjournment.

Speaker pro tem in the chair.

Prayer by Chaplain.

Roll called. All members present except Eliel.

Blodgett from the Committee on Journal reported as follows:

Mr. Speaker: Your Journal Committee beg to report that they have examined the Journal of the nineteenth day and find the same to be correct." Report adopted.

### COMMUNICATIONS AND PETITIONS.

A communication was received from the Butte Chamber of Commerce, protesting against the passage of a license tax on the mining industry of Montana.

On motion of Higgins, communication was referred to Committee on Ways and Means.

Duffy was granted unanimous consent to withdraw Bill relating to electric and motor driven vehicles, introduced on January 13, 1917.

### NOTICES OF BILLS.

By McQuarrie: "An Act to amend Chapter XXII of the Revised Codes of Montana, of 1907, by repealing all of Sections 2112, 2113, 2114, 2115, 2116, 2117, 2118, and providing for an Act relating to the inspection of petroleum products, the appointment of inspectors, fees and salaries of inspectors, and prohibiting the sale of adulterated oils and gasoline, and providing penalties for violation thereof."

By Ward: "An Act to amend Sections 1, 3, 4 and 5 and to repeal Section 12, Chapter 45 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, relating to County Libraries."

By Ward: "An Act to create a fund in cities of the State of Montana having a police department to be known as the Police Relief and Pension Fund, for the benefit of policemen and their families; to provide for the organization, government and control thereof; to provide punishment for the violation of the provisions of this Act; to authorize cities to levy an annual tax for the benefit of such fund and to set apart annually for the benefit of such fund a percentage of the fines collected in money in the police court; to authorize the Board of Trustees of such fund to acquire money for the benefit of such fund from interest, rents, rewards to members of the police department, and monthly dues from such members, and from any other source, and to receive and take property real or personal, by the donation, gift, grant, devise or bequest for the use and benefit of such fund, and to authorize and permit gifts, grants, donations, bequests, devises and testamentary disposition to be made to such Board of Trustees for the benefit of such fund."

By Mason: "An Act to amend Section S346 of the Revised Codes of the State of Montana of 1907, relating to Child Abandonment and making it a penalty for a parent of a legitimate or illegitimate child to desert said child or

children with the intent wholly to abandon it or by act of said parent does wholly abandon said child or children."

By Demel: "An Act to amend Sections 3457, 3461, 3462 and 3463 of the Revised Codes of Montana, 1907."

By Demel: "An Act to amend Section 5031, Revised Codes of Montana, 1907, providing for the negotiability of promissory notes secured by mortgage."

By Duffy: "An Act to provide for a uniform traffic regulation in cities and towns throughout the State of Montana for street cars, electric driven, motor driven and horse drawn vehicles, motorcycles and bicycles."

By Duffy: "An Act to provide for dimmers on lights of all electric or motor driven vehicles."

By Duffy: "An Act to provide punishment for the malicious and promiscuous throwing of glass and broken bottles on highways of the State of Montana."

By Hathaway: "An Act to submit to the qualified electors of the State of Montana, an amendment to Section 1, of Article XII of the Constitution of the State of Montana relating to revenue and taxation and providing for the imposition of taxes on incomes and privileges."

By Higgins: "An Act authorizing the State of Montana to become indebted in excess of the Constitutional limit, and to provide for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness, for the construction of necessary buildings for the several educational, penal, reformatory, charitable and other state institutions under the authority and direction of the State Board of Examiners."

#### REPORTS OF STANDING COMMITTEES.

Searles from the Committee on House Employees reported as follows:

Mr. Speaker: We, your Committee on House Employees, beg leave to report that we have named the following employees: Celestine Harrington, clerk; Mae Narvaez, clerk; Ella Adams, clerk; Helen Moran, clerk; Nellie Keegan, clerk; Anna F. Carter, clerk; George Murray, clerk; Christine Elder, clerk; Anna Whaley, clerk; Miss Becker, clerk; C. J. Morrill, clerk. Report adopted.

Sand from the Committee on Townships and Counties reported as follows:

Mr. Speaker: We, your Committee on Townships and Counties, having had under consideration House Bill No. 42, respectfully beg leave to report as follows: That the Bill do pass, unamended.

On motion, Bill re-referred to Committee on Townships and Counties.

Andrew from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 74, entitled, "An Act to authorize and empower any city or town organized under the laws of Montana to receive and take any gift, donation, grant, devise or bequest any property real, personal or mixed, or any improved or unimproved park or playground or any water or water right, water reservoir or water shed, or any timber land or reserve, or any fish or game reserve in any part of the State of Montana, and to own and hold, work and improve the same; and to authorize any person, company, co-partnership or corporation to make gifts, donations, grants, devises or bequests of any kind of property to any such city or town," respectfully beg leave to report as follows: That we recommend that the same do pass.

Report adopted and Bill referred to Printing Committee.

Duffy from the Committee on Federal Relations, reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 3, introduced by Harbert, "Memorializing Congress of the United States for a biological survey of Flathead, Whitefish and Swan Lakes," respectfully beg leave to report as follows: That same do pass.

Report adopted and Bill referred to Printing Committee.

Hurd from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. Ten (10) and Fifty-three (53) and House Joint Resolution No. Four (4), beg leave to report that same have been correctly printed.

Report adopted and Bills and Resolution placed on General Orders.

McMahon from the Committee on Mines and Mining reported as follows:



Mr. Speaker: We, your Committee on Mines and Mining to whom was referred House Bill No. 66, entitled, "A Bill for an Act to require the boundaries of Mining Claims to be re-marked when same have become indistinct or difficult to trace," beg leave to report and recommend that the same do not pass. Report adopted.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, Your Committee on Engrossment, to whom was referred House Bill No. 49, introduced by Demel, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on Calendar for Third reading.

Connolly from the Committee on Engrossment, to whom was referred House Bill No. 4, introduced by Holt, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on calendar for Third reading.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 18, introduced by Baldwin, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on calendar for Third reading.

Connolly of the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 47, introduced by Cotter, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on calendar for Third reading.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 40, introduced by McQuarrie, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on calendar for Third reading.

#### INTRODUCTION AND SECOND READING OF BILLS AND MEMORIALS.

H. B. No. 96, introduced by Huffaker and Anderson: A Bill for an Act entitled, "An Act to amend subdivision 1 of Section 2 and to amend Section 4 and subdivision 1 of Section 2 of Chapter 73 of the Acts of the Legislative Assembly of Montana, known as the 'Montana State Motor Vehicle Law' approved March 12, 1913, entitled 'An Act providing for the registration, identification and regulation of motor vehicles operated and driven upon the public roads and highways of the State,' and providing for the collection and disbursement of such registration fees and for the creation of a road maintenance fund and providing that a portion of such fees shall be paid into such fund for such purposes." Read first and second time, and referred to Committee on Highways.

H. B. No. 97, introduced by Holt: A Bill for an Act entitled, "An Act to amend Section 4076 of the Revised Codes of the State of Montana of 1907." Read first and second time, and referred to Judiciary Committee.

H. B. No. 98, introduced by Carll: A Bill for an Act entitled, "An Act to amend Sections 1611, 1613 and 1618 of the Revised Statutes of the State of Montana, relating to the regulation of the practice of optometry, and to prevent ignorant, unprofessional, or incompetent persons from practicing same." Read first and second time and referred to Public Health and Sanitary Affairs Committee.

H. B. No. 99, introduced by Henderson. A Bill for an Act entitled, "An Act to amend Section 13 of Chapter 122 of the Session Laws of the Fourteenth Legislative Assembly, relating to the registration of electors, and change of voting precinct." Read first and second time and referred to Committee on Privileges and Elections.

H. B. No. 100, introduced by Hathaway and Mason. A Bill for an Act entitled, "An Act creating a Mother's Pension and to provide thereby for financial aid in the care of dependent children in their own home, under the direct control of the mother of such children, whose father is dead or an inmate of some Montana institution, or who is physically or mentally unable to work, and who has for a period of one year or more failed to provide for said child or children, or

whose father has abandoned his family and such abandonment occurred while he was a resident of the State of Montana and has continued for more than one year, and whose mother is financially unable to support such child or children, and to repeal Sections 1, 2, 3, 4, 5, 6 and 7 of Chapter 86 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana of 1915." Read first and second time and referred to Committee on Public Morals, Charities and Reforms.

H. B. No. 101, introduced by Husser: A Bill for an Act entitled, "An Act appropriating money for the equipment and maintenance of the North Montana Agricultural and Manual Training school for the two years commencing March 1st, 1917, and ending February 28, 1919." Read first and second time at length, and referred to Committee on Appropriations.

H. B. No. 102, introduced by Ward. A Bill for an Act entitled, "An Act to amend Sections 1, 3, 4 and 5 and to repeal Section 12, Chapter 45 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, relating to County libraries." Read first and second time and referred to Committee on Libraries.

H. B. No. 103, introduced by Husser: A Bill for an Act entitled, "An Act to make available for use of the State Board of Health all funds deposited in the State Treasury to the credit of the State Board of Health Maintenance fund." Read first and second time and referred to Committee on Public Health and Sanitary Affairs.

H. B. No. 104, introduced by Grimes: A Bill for an Act entitled, "An Act appropriating money to the County of Silver Bow as a refund for money erroneously collected and paid into the State Treasury." Read first and second time at length and referred to Appropriations Committee.

H. B. No. 105, introduced by Bernard: A Bill for an Act entitled, "An Act to amend Section 1288 of the Revised Codes relating to the commandant, rules, salaries, officers of the Montana Soldiers' Home." Read first and second time and referred to Committee on State Institutions, Public Buildings and Grounds.

H. B. No. 106, introduced by Morrow: A Bill for an Act entitled, "An Act to amend Section 3951 of the Civil Code of the State of Montana, 1907, relating to the investment of capital by savings banks." Read first and second time and referred to Committee on Banks and Banking.

H. B. No. 107, introduced by Morrow. A Bill for an Act entitled, "An Act to amend Section 3930 of the Civil Code of the State of Montana, 1907, relating to the investment of capital of trust companies." Read first and second time and referred to Committee on Banks and Banking.

#### READING OF SENATE BILLS.

S. J. M. No. 1, a petition to Congress to enact a law admitting to citizenship one George Washington Taylor, formerly known as Sing On, born within the empire of China. Read first and second time and referred to Committee on Federal Relations.

S. B. No. 22, a Bill for an Act entitled, "An Act authorizing and directing the Board of Railroad Commissioners of the State of Montana, to establish and fix the rate of one cent per mile for the railway fare to be charged for transporting prisoners regularly sentenced to the State Prison in the State of Montana, to and from said State Prison to any point within the State of Montana, for the purpose of conveying such prisoners to such point or from such point to be employed on public roads or other public work." Read first and second time and referred to Committee on Railroads and Transportation.

#### MOTIONS AND RESOLUTIONS.

Baxter: I move that no bill on General Orders be considered in the Committee of the Whole unless the same has been posted on General Orders at least one day before coming up for consideration. Motion carried.

#### THIRD READING OF HOUSE BILLS.

H. B. No. 49, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Farmer, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White, Working, Speaker pro tem—82.

Noes: Baxter—1.

Absent and not voting: Baldwin, Belden, Brooks, Deibel, Eliel, Fishbaugh, Flanigan, Fuller, Jones, Page, Ward, Mr. Speaker—12.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 54, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Ball, Belden, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Farmer, Griffin, Grimes, Gullidge, Harbert, Hathaway, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, O'Brien, Quaintance, Rainey, Sand, Scott, Searles, Shaw, Spain, Weil, Wheat, White, Working, Speaker pro tem—67.

Noes: Arneson, Baxter, Buell of Gallatin, Gould, Harmon, Hawks, Henderson, Henry, Jensen, McQuarrie, Murray, Phelps, Prosser, Rasmussen, Sektnan, Stimpert—16.

Absent and not voting: Baldwin, Brooks, Connolly, Deibel, Eliel, Fishbaugh, Flanigan, Fuller, Jones, Page, Ward, Mr. Speaker—12.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 18, introduced by Baldwin: A Bill for an Act entitled, "An Act to submit to the qualified electors of the State of Montana an amendment to Section 2 of Article 12 of the Constitution of the State of Montana providing that evidence of debt shall be exempt from taxation."

*Be It Enacted By the Legislative Assembly of the State of Montana:*

Section 1. That Section 2 of Article 12 of the Constitution of the State of Montana be amended and that the question of such amendment be submitted to the qualified electors of the State of Montana at the next general election.

Section 2. That Section 2 of Article 12 of the Constitution of the State of Montana be and the same is hereby amended to read as follows:

The property of the United States, the State, Counties, Cities, Towns, School Districts, Municipal Corporations and Public Libraries shall be exempt from taxation: and such other property as may be used exclusively for agricultural and horticultural societies, for educational purposes, places for actual religious worship, hospitals and places of burial not used or held for private or corporate profit, institutions of purely public charity and evidences of debt secured by mortgages of record upon real or personal property in the State of Montana may be exempt from taxation.

Section 3. That separate official ballots shall be provided at the general election to be held in November, 1918, which shall have printed thereon the words, "For the amendment to the Constitution relating to exemption of mortgages from taxation," and the words, "Against the amendment to the Constitution relating to exemption of mortgages from taxation," and the elector shall indicate his preference by marking an X before the proposition for which he desires to vote and the result of the vote on said question shall be determined and declared as provided by law.

Section 4. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 5. This Act shall take effect and be in force after the passage and approval.



Having been read three several times, passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Demel, Dodds, Duffy, Eaton, Farmer, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Speaker pro tem—81.

Noes: Andersen (Charles), Davis, Shaw—3.

Absent and not voting: Baldwin, Blodgett, Brooks, Deibel, Eliel, Fishbaugh, Flanigan, Fuller, Jones, Page, Mr. Speaker—11.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 40, having been read three several times, passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Farmer, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Scott, Searles, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Speaker pro tem—80.

Noes: Kelsey, Kemmis, Sand, Sektnan—4.

Absent and not voting: Baldwin, Brooks, Deibel, Eliel, Flanigan, Fishbaugh, Fuller, Jones, Page, Shaw, Mr. Speaker—11.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 47, having been read three several times, passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Farmer, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Speaker pro tem—86.

Noes: None.

Absent and not voting: Baldwin, Brooks, Deibel, Eliel, Fishbaugh, Flanigan, Fuller, Jones, Mr. Speaker—9.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Lemmon, House adjourned at 3:25 P. M. until 11:00 A. M., Tuesday, January 23, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## TWENTY-THIRD DAY

Tuesday, January 23, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll called. All members present except Eliel.



Ironsides from the Committee on Journal reported as follows:

Mr. Speaker: Your Journal Committee beg leave to report that they have examined the Journal of the Twenty-second day, and find the same to be correct.

#### COMMUNICATIONS AND PETITIONS.

An invitation to attend the noon luncheon of the Helena Commercial Club on January 24th, at which time United States Surveyor General Gerharz is to speak on "City Manager Form of Government," was received.

A petition, protesting against the levying of a tax on the mining industry, was received from the following citizens of Garnet, Montana: S. C. Ritchey, F. A. Davey, P. M. McCree, John D. Sullivan, A. L. Lowery, L. L. Mussigbrod.

#### NOTICES OF BILLS.

By White: "An Act to establish a permanent tax commission in the State of Montana."

By Blake: "An Act providing for the levy and collection of a tax upon income, to be known as the State Income Tax Law."

By Lewis: "An Act declaring all buildings and places nuisances, wherein or upon which acts of lewdness, assignation or prostitution are held or occur, or which are used for such purposes, or wherein or upon which any gambling is conducted or carried on, contrary to any of the laws of the State of Montana, or wherein any wine-rooms are maintained, contrary to any of the laws of the State of Montana, and providing for the abatement and prevention of such nuisances, by injunction and otherwise."

By Duffy: "An Act making the theft of electric driven and motor driven vehicles and motorcycles a felony and to provide a penalty therefor."

By Kemmis: "An Act to amend Paragraph 5, Section 507 of Chapter 76 of the Session Laws of 1913, defining the duties of school trustees."

By Buell: "An Act to authorize and empower cities and towns to construct, maintain, establish and operate, within their limits, skating rinks, swimming pools and play grounds, to defray the cost and expenses thereof from their park funds, and to provide necessary rules and regulations for the establishment, maintenance and use thereof."

#### REPORTS OF SELECT COMMITTEES.

Demel from the Select Committee on Printing reported as follows:

Mr. Speaker: We, your Select Committee on Printing, beg leave to report that we have received but one bid for compiling, printing, folding and perforating the weekly status of all bills as follows, to-wit:

The bid of Chas. Z. Pond as follows:

For printing, folding, etc.....	\$125.00
For compiling and mailing same.....	250.00

Total .....	\$375.00
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On motion of McMahon, report adopted and contract awarded to C. Z. Pond.

#### REPORTS OF STANDING COMMITTEES.

Husser from the Committee on Public Health and Sanitary Affairs reported as follows:

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration H. B. No. 98, a Bill for an Act entitled, "An Act to amend Sections 1611, 1613 and 1618 of the Revised Statutes of the State of Montana, relating to the Regulation of Practice of Optometry and to prevent ignorant, unprofessional or incompetent persons, from practicing same." That your Committee on Public Health and Sanitary Affairs recommend that House Bill No. 98 do pass.

Report adopted and Bill referred to Printing Committee.

Hurd from the Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. Forty-six (46), beg leave to report that same has been correctly printed.

Report adopted and Bill placed on General Orders.

Connolly from the Committee on Engrossing reported as follows:

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bill No. 5, introduced by Adam Stimpert, beg leave to report same back as correctly re-engrossed, as to Senate amendments.

Report adopted and Bill placed on calendar for Third reading.

Farmer from the Committee on Townships and Counties, reported as follows:

Mr. Speaker: We, your Committee on Townships and Counties, to whom was referred House Bill No. 42, being a Bill for an Act entitled, "An Act to amend Section 2056 Revised Codes of Montana, 1907, relating to the furnishing of medicine or medical attendance to the sick, poor and infirm of the county and to inmates of county jails," for correction of the title of said Bill, report back that the Bill is correctly amended, and recommend that the Bill do pass.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 87, by Belden, a Bill for an Act entitled, "An Act to provide an additional judge for the Tenth Judicial District of the State of Montana, so that there will hereafter be two judges in said district," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Husser from the Committee on Public Health and Sanitary Affairs reported as follows:

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, have had under consideration H. B. No. 103, a Bill for an Act entitled, "An Act to make available for use of the State Board of Health all funds deposited in the State Treasury to the credit of the State Board of Health Maintenance Fund." That your Committee on Public Health and Sanitary Affairs recommend that House Bill No. 103 do pass.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 70 by Kehoe, a Bill for an Act entitled, "An Act providing how penalties and interest on delinquent taxes and assessments shall be apportioned," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 67, by Wheat, a Bill for an Act entitled, "An Act to regulate the giving or furnishing of bonuses or premiums such as the giving or furnishing of stamps, coupons, tickets, certificates, cards, gifts or premiums, such as crockery, chinaware, aluminumware, tinware, or anything else that may be included with or contained in packages of any kind of merchandise of any description, or other similar devices for, or with, or in connection with the sale of goods, wares or merchandise, and providing a penalty for the violation thereof," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Searles from the Committee on Employees reported as follows:

Mr. Speaker: We, your Committee on House Employees, beg leave to report that we have named the following employee, Mrs. Agnes C. Sherman, clerk for the Committee on State Lands. Report adopted.

Kehoe from the Committee on Ways and Means reported as follows:

January 18, 1917.

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 28, introduced by Dodds, a Bill entitled, "An Act to impose a license tax upon every person, company and corporation engaged in mining meta's in the State of Montana and to provide for the enforcement thereof," respectfully beg leave to report as follows: That this Bill be reported back to the House and recommend that same be printed but that the committee be

given authority to retain these Bills for final action until after the report of the committee reported to investigate the tax situation of the state.

Report adopted and Bill referred to Printing Committee.

### INTRODUCTION AND SECOND READING OF HOUSE BILLS.

H. B. No. 108, introduced by Stimpert: "An Act prohibiting unfair competition or discrimination in the buying, selling, production, manufacturing or distribution of any commodity or product in general use and providing a penalty for the infraction of the provisions thereof, and providing that complaint may be made to the Attorney General of any violation of this act by any corporation and requiring the Attorney General to forthwith investigate such complaint and to prosecute such corporation if the facts ascertained by him warrant such prosecution and providing for the annulment by the court of the charter of any corporation found guilty of unfair competition or discrimination." Read first and second time and referred to Judiciary Committee.

H. B. No. 109, introduced by Demel: A Bill for an Act entitled, "An Act to amend Sections 3457, 3461, 3462 and 3463 of the Revised Codes of Montana, 1907, relating to the issuance of bonds by cities and towns." Read first and second time and referred to Judiciary Committee.

H. B. No. 110, introduced by Hathaway: A Bill for an Act entitled, "An Act to submit to the qualified electors of the State of Montana an amendment to Section 1 of Article XII, of the Constitution of the State of Montana relating to revenue and taxation and providing for the imposition of taxes on incomes and privileges." Read first and second time and referred to Committee on Ways and Means.

H. B. No. 111, introduced by Demel. A Bill for an Act entitled, "An Act to amend Section 5031, Revised Codes of Montana, 1907, providing for the negotiability of promissory notes secured by mortgage." Read first and second time and referred to Judiciary Committee.

H. B. No. 112, introduced by Husser. A Bill for an Act entitled, "An Act to prevent infant blindness caused by the preventable disease known as ophthalmia neonatorum." Read first and second time and referred to Committee on Public Health and Sanitary Affairs.

H. B. No. 113, introduced by Ward: A Bill for an Act entitled, "An Act to amend Section 6339 Code of Civil Procedure, Revised Code of Montana, 1907, exempting from jury duty regularly licensed embalmers and undertakers." Read first and second time and referred to Judiciary Committee.

On motion of Farmer, House reverted to Second Order of Business.

### NOTICES OF BILLS.

By Lewis: "An Act to amend Chapters III, IV and VI of Chapter 141, of the Session Laws of the Fourteenth Legislative Assembly, the same being an amendment of Chapter 72 of the Session Laws of 1913, known as the general highway law and relating to the classification and permanent improvement of public highways, and repealing Section 1402 of the Revised Codes of Montana of 1907."

By Farmer: "An Act to amend Section 8293 of the Revised Codes of the State of Montana of 1907, relating to penalty for murder in the first degree."

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, January 22, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Annin: "An Act relating to intoxicating liquors, prohibiting the soliciting and taking of orders therefor, the advertisement thereof, declaring certain places to be nuisances and providing for their abatement, regulating the transportation thereof, and providing for the search and seizure and destruction thereof, prescribing the powers and duties of certain officers, providing for the removal of certain officers for failure, neglect or refusal to perform their duties, prescribing the forms of procedure and the rules of evidence in actions and proceedings under

the laws relating to intoxicating liquors and fixing the penalties for violations thereof."

By Annin: "An Act prohibiting the introduction into, the manufacture of, and the giving, exchanging, bartering, selling or disposing of ardent spirits, also beer, wine or intoxicating liquors within the State of Montana; providing penalties for the violation thereof, and providing the time when said Act shall go into effect."

By Dwight: "An Act to amend subdivision 8 of Section 508 of Chapter 76, of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the purchasing of school sites and the building and removal of school houses."

By Jones: "An Act to amend Sections 9393 and 9394 of the Revised Codes of the State of Montana, relating to the place where, and the persons who shall be present at the execution of a judgment imposing a death penalty, and providing for the return upon the death warrant and the person who shall make such return."

By McCone: "An Act to amend Section 94 of Chapter 147 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, providing for a land office expense fund and the disposition of the same."

By Oliver: "An Act to amend Sections 1, 2, 3, 4 and 12, Chapter 139, Session Laws of the Fifteenth Legislative Assembly, relating to creation of new counties."

By Dwight: "An Act to amend Section 1600 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, providing for the method of selecting, purchasing, exchanging or selling of school house sites in school districts, of the third class, and relating to school house sites in general."

By Lane: "An Act making it unlawful to fish through the ice of certain streams of the State which have been stocked; providing for penalty for violations thereof; and repealing all Acts and parts of Acts in conflict therewith."

By Healy: "An Act to empower cities of the first, second and third class to provide band concerts for the entertainment of their people during the months of June, July, August and September of each year."

By Whiteside: "An Act to define and fix the status and legal obligations between parents and children born out of wedlock."

By Edwards: "An Act to amend Section 3146 of the Revised Codes of Montana of 1907, relating to fees for naturalization and disposition of same."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 22, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Committees report the following members of act on the Joint Committee of the House and Senate with reference to the Primary law: Edwards, Haley, Lane and Muffy. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 22, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 4, 15 and 18, having had same under consideration, report same correctly engrossed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 22, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Printing reported Senate Bills Nos. 7, 24, 38 and 40 correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 22, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Agriculture, to whom was referred Senate Bill No. 11,



having had same under consideration, report same back with the recommendation that the Bill be amended by striking out the word "Toole" wherever it appears in the Bill and as amended recommend that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 22, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times, and referred as follows:

S. B. No. 55—Burla: A Bill for an Act entitled, "An Act to amend Section 26 and Section 29 of Chapter 147 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, relating to the classification and sale of public lands." Referred to Committee on Public Lands.

S. B. No. 56—Williams: A Bill for an Act entitled, "An Act to regulate the running at large of bulls on public ranges or national forests in the State of Montana." Referred to Committee on Stockgrowing.

S. B. No. 57—Whiteside: A Bill for an Act entitled, "An Act to create the office of State Geologist, naming the State Engineer as State Geologist ex-officio, fixing his powers and duties and providing penalties for violations of this Act." Referred to Committee on Judiciary.

S. B. No. 58—Jones: A Bill for an Act entitled, "An Act to create the County of Wheatland, designate its boundaries, and provide for its organization and government, and to change the boundaries of Meagher and Sweet Grass counties to conform thereto." Referred to Committee on Counties and Towns.

S. B. No. 59—Whiteside: A Bill for an Act entitled, "An Act to encourage the construction of public warehouses and elevators for the storage and handling of grain and other food products; to provide for the issuance of bonds for said purpose under State supervision; to create a State Warehouse Commission and defining the powers and duties of said commission; to create a State Grain Grading Commission; and defining its powers and duties and appropriating money to carry out the provisions of this Act." Referred to Committee on Agriculture.

S. B. No. 60—Burla: A Bill for an Act entitled, "An Act to amend Section 1 of Chapter 14 of the Laws of the Fourteenth Legislative Assembly, entitled, 'An Act providing for indeterminate sentences of persons convicted of crime, and for the parole of such persons and prescribing the duties of officials in connection therewith.'" Referred to Judiciary Committee.

S. B. No. 61—Hogan: A Bill for an Act entitled, "An Act requiring certain railroad corporations operating in the State of Montana to have and maintain repair shops within this State and to have all defective or broken cars, coaches, locomotives, or other equipment owned or leased by said corporation, repaired, renovated, or rebuilt in the State of Montana, and providing penalties for the violation of this Act." Referred to Committee on Railroads.

S. B. No. 62—McCone: A Bill for an Act entitled, "An Act to provide for the election of delegates and alternate delegates and committeemen of political parties by primary vote and to provide for nomination of candidates for public office and to repeal initiated Bill entitled, 'A Bill to propose by initiative petition a law to provide for party nominations by direct vote;' initiated and passed by the people of Montana at the General Election of 1912; also to repeal initiated Bill entitled, 'A Bill to propose by initiative petition a law to provide for the expression by the people of the State of Montana of their preference for party candidates for the President and Vice President of the United States; the election of delegates to presidential conventions and nomination of presidential electors by direct vote by initiative,' passed by the people of Montana at the General Election of 1912." Referred to Committee on Primary Law.

Respectfully,

J. F. CONE, Secretary of the Senate.

### THIRD READING OF HOUSE BILLS.

H. B. No. 5 read third time and senate amendments concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin,

Ball, Baxter, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Farmer, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektman, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—85.

Noes: None.

Absent and not voting: Arneson, Belden, Bent, Bernard, Deibel, Eliel, Fishbaugh, Flanigan, Fuller, Rainey—10.

H. B. No. 5 referred to Enrollment Committee.

On motion of McMahon, House resolved itself into a Committee of the Whole for consideration of General Orders.

### GENERAL ORDERS.

McMahon in the chair.

House resumed.

Mr. Speaker in the chair.

McMahon from the Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration House Joint Resolution No. 4, introduced by Harbert, "A Resolution memorializing Congress for the appropriation of \$10,000 to dredge Polson bay and Flat-head lake of this State," beg leave to report back with the recommendation that same be amended by striking out "360,000" in figures in line 2, and inserting in lieu thereof "three hundred sixty thousand" in words and figures and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 10, introduced by Mason, entitled, "An Act to provide for maximum rate of interest on loans of money, providing a penalty for violation thereof, and to repeal Sections 1, 2, 3, and 4 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, and repealing Section 5212 of the Revised Codes of 1907 and the amendment thereto by Chapter 36, Section 5212 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana," beg to report same back with the following amendments:

That the title of said House Bill No. 10, shall read as follows: "An Act to provide for a maximum rate of interest on loans of money; providing a penalty for violation thereof; repealing Chapter 36 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, and repealing Section 5212 of the Revised Codes of Montana of 1907."

By inserting in line 7 of Section 2 thereof, after the word "recover" the word "half," also by inserting the word "half" in line 9 of said Section 2 after the word "for."

By renumbering Sections 3 and 4 as Sections 4 and 5 respectively, and by inserting the following Section to be known as Section 3, "Chapter 36 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, and Section 5212 of the Revised Codes of Montana of 1907, are hereby repealed."

By adding in line 1 in Section 5, after the word "in" the word "full," and recommend that, as amended, Bill do pass.

Report adopted and Bills referred to Engrossing Committee.

Hurd from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 62 and 28, House Joint Memorials Nos. 2 and 4, and House Joint Resolutions Nos. 1 and 2, beg leave to report that the same have been correctly printed."

Report adopted and Bills placed on General Orders, with exception of H. B. 28, which goes to Ways and Means Committee.

White, from the Committee on Appropriations, gave notice that a joint meeting of the Committee on Appropriations of the Senate and House of Repre-

sentatives had been called to meet in the Committee Room on the Mezzanine floor at the Placer Hotel at 7 P. M. the 23rd day of January, 1917.

The Chairman appointed the following as a Select Committee on the Primary Election Laws: Mason, Higgins, Harbert and Andrew.

On motion of Lemmon, House adjourned at 1:40 P. M. until 11:00 o'clock A. M., Wednesday, January 24, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## TWENTY-FOURTH DAY

Wednesday, January 24, 1917.

House met at 11:00 o'clock A. M. pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll called. All members present.

Blodgett from the Committee on Journal reported as follows:

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal of the Twenty-third day and find the same to be correct. Report adopted.

### NOTICES OF BILLS.

By Murray: "An Act to regulate the hours of continuous employment of firemen in cities of the first and second class."

By Farmer: "An Act to amend Section 3 of Chapter 73 of the Session Laws of the State of Montana and fixing the fees to be paid by incorporated cities and town and by school districts of the first and second class into the fund known in the law as the 'State Examiner's Fund'."

By Baxter: "An Act to create a State Tax and License commission and prescribing its powers and duties."

By Ironside: "An Act relating to delivery of express matter by express companies at addresses within the corporate boundaries of any incorporated city, town or village, and providing penalties for violation thereof."

By Demel and Scott: "An Act to prohibit livestock from running at large in incorporated cities, and within a mile thereof; and in incorporated towns, and within one-half mile thereof."

By Henderson: "An Act establishing and defining the boundary line between Dawson county and Rosebud county, State of Montana."

By Henderson: "An Act to amend Section 1, 2 and 3 of Chapter 139 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, providing for the creation, organization and classification of new counties, for locating county seats, and for the election and appointment of officers."

By Dodds: "An Act concerning the placement of homeless and dependent children, providing for reports and fixing penalties."

By Ashby: "An Act appropriating money for the maintenance of the State Board of Poultry Husbandry for the two years commencing March 1st, 1917, and ending February 28th, 1919."

By Kehoe: "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession in the State of Montana."

By Hurd: "An Act to provide for the letting of contracts for public printing, fixing the prices therefor, providing a penalty for violations of this Act, and to repeal Section 2897 of the Revised Codes of the State of Montana for 1907."

By Jones: "An Act to amend Section 4312 of the Revised Codes of the State of Montana relating to the penalty for failure to keep record of stock killed or injured by railway companies as provided for in Section 4311."

By Rasmussen: "An Act to amend Sub-division 4 of Section 507 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the powers of School Trustees and to provide for free night schools."

## REPORTS OF SELECT COMMITTEES.

Gould from the Tax Investigating Committee reported as follows:

Mr. Speaker: The Tax Investigation Committee of the House would report as follows: That we have found it to be practically impossible to get the detailed assessment of the companies under investigation within the time allotted by resolution for the reason that the assessors of the several counties of the State have been away from home attending a State meeting at Great Falls; the Tax Investigation Committee of the House would therefore ask for ten days additional time in which to report."

On motion of Gould, report adopted and Committee given ten days additional time.

## REPORTS OF STANDING COMMITTEES.

Hurd from the Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill Nos. sixty-one (61), twenty-nine (29), eighty (80), sixty-eight (68) and forty-eight (48), beg leave to report that same have been correctly printed."

Report adopted and Bills placed on General Orders, with exception of H. B. No. 61, which was referred to Ways and Means Committee.

Andersen from the Committee on Education reported as follows

Mr. Speaker: We, your Committee on Education, having had under consideration H. B. No. 71, introduced by Bent, entitled, "An Act to provide free textbooks for the use of the pupils of the Public Schools and High Schools, at the expense of the Districts, and to require the Trustees and School Boards of each district to purchase same and make rules governing the use of said books, and to allow them sold, at cost, for use of pupils when desired by parents or guardians; and to amend Section 1811, Chapter 76, Laws of the Thirteenth Legislative Assembly," beg leave to report same back to the House with the recommendation that it do pass."

Report adopted and Bill referred to Printing Committee.

Kehoe from the Committee on Ways and Means reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 88, introduced by Ingalls, an Act entitled, "An Act to establish a state school for girls prescribing its objects and purposes, providing for its location site, buildings and improvements, maintenance and management, prescribing commitments thereto, appeals, commutations, paroles and discharges, laws for fugitives, aiding escapes and penalties therefor; providing for materials, supplies and appropriations for all said purposes, also for empowering the State Board of Land Commissioners to lease either land or buildings, or both for the same," respectfully beg leave to report as follows: That the Bill be referred back to the House with the recommendation that it be referred to the Committee on Appropriations.

Report adopted and Bill referred to Appropriations Committee.

Gould from the Committee on Improvements and Manufacturing, reported as follows:

Mr. Speaker: We, your Committee on Improvements and Manufacturing, having had under consideration House Bill No. 72, introduced by Bernard, a Bill for an Act entitled, "An Act to prohibit the driving, placing or embedding of spikes, nails or other metallic substances, stone or rock in saw-logs intended for manufacture into lumber or other timber products and prescribing the penalty therefor." January 15, 1917, read first and second time and referred to the Committee on Improvements and Manufacturing, respectfully beg leave to report as follows: That Section 1 of said Bill be amended by inserting after the words "stone or rock" the words "with malicious intent," and that as amended the Bill do pass.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 55 by Holt, a Bill for an Act entitled, "An Act to amend Section 6698 of the Revised Codes of Montana of 1907, relating to receive-



ers," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Hathaway from the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 100, introduced by Hathaway and Mason, a Bill for an Act entitled, "An Act creating a mother's pension and to provide thereby for financial aid in the case of dependent children in their own home, under the direct control of the mother of such children whose father is dead or an inmate of some Montana State institution, or is physically or mentally unable to work and who has for a period of one year or more failed to provide for said child or children, or whose father has abandoned his family and such abandonment occurred while he was a resident of the State of Montana and has continued for more than one year, and whose mother is financially unable to support such child or children, and to repeal Sections 1, 2, 3, 4, 5, 6, 7 of Chapter 86 of the Session Laws of the Fourteenth Legislative Assembly of 1915," respectfully beg leave to report as follows: That the Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred Joint House Resolution No. 4, introduced by Harbert, beg leave to report same back as correctly engrossed.

Report adopted and Resolution placed on Calendar for Third reading.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 10, introduced by Mason, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on Calendar for Third reading.

## INTRODUCTION AND SECOND READING OF HOUSE BILLS.

H. B. No. 114, introduced by Farmer: A Bill for an Act entitled, "An Act to amend Section 8293 of the Revised Codes of the State of Montana of 1907, relating to penalty for murder in the first degree." Read first and second time and referred to Committee on Judiciary.

H. B. No. 115, introduced by Blake: A Bill for an Act entitled, "An Act providing for the levy and collection of a tax upon income, to be known as the State Income Tax Law." Read first and second time and referred to Committee on Ways and Means.

H. B. No. 116, introduced by Duffy: A Bill for an Act entitled, "An Act making the theft of electric driven and Motor driven vehicles and motorcycles a felony and to provide a penalty therefor." Read first and second time and referred to Committee on Judiciary.

H. B. No. 117, introduced by Lewis: A Bill for an Act entitled, "An Act to amend Chapters III, IV and VI of the Chapter 141, of the Session Laws of the Fourteenth Legislative Assembly, the same being an amendment of Chapter 72 of the Session Laws of 1913, known as the General Highway Law and relating to the classification and permanent improvement of public highways, and repealing Section 1402 of the Revised Codes of Montana of 1907." Read first and second time and referred to Committee on Highways.

H. B. No. 118, introduced by Mason: A Bill for an Act entitled, "An Act to amend Section 8346 of the Revised Codes of the State of Montana of 1907 relating to child abandonment and making it a penalty for the parent of a legitimate or illegitimate child to desert said child or children with the intent wholly to abandon it or by act of said parent does wholly abandon said child or children." Read first and second time and referred to Committee on Public Morals, Charities and Reforms.

H. B. No. 119, introduced by Blodgett: A Bill for an Act entitled, "An Act to establish in the State University of Montana, a department for the instruction of public accountancy, and to make provisions for the support thereof, and to regulate the practice of the profession of public accountancy, prohibiting the

making of false reports by any public accountant and providing a penalty and punishment therefor and repealing all of the provisions of Chapter 39 of the Laws enacted by the Eleventh Legislative Assembly of the State of Montana, being an Act entitled, 'An Act to regulate the practice of the profession of public accounting.' Read first and second time and referred to Committee on Education.

H. B. No. 120, introduced by Duffy: A Bill for an Act entitled, "An Act to provide a punishment for the malicious and promiscuous throwing of glass and broken bottles on roads and highways of the State of Montana." Read first and second time and referred to Committee on Highways.

### READING OF SENATE BILLS.

S. B. No. 4, read first and second time and referred to Committee on Judiciary.

S. B. No. 15, read first and second time and referred to Committee on Judiciary.

S. B. No. 18, read first and second time and referred to Committee on Judiciary.

On motion of Crowley, House reverted to Fourth Order of Business.

### REPORTS OF STANDING COMMITTEES.

Crowley from the Committee on Enrollment reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that House Bill No. 5, being a Bill for an Act entitled, "An Act relating to bridges within any city or town upon a highway crossing a natural stream separating one part from another part of any county in which such city or town is situated, and providing for the construction and maintenance of such bridges and their approaches," is correctly enrolled. Report adopted.

### MOTIONS AND RESOLUTIONS.

Rasmussen: I move that the House make a requisition on the Secretary of State for the printing of 2,000 copies of the Enabling Act and the Constitution of the State of Montana, to be printed in pamphlet form and that after the House and Senate have been furnished with a requisite supply, the balance of said pamphlets be left in the custody of the Secretary of State for general distribution upon request. Motion carried.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, January 23, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Printing, to whom was referred Senate Bill No. 8, and Senate Joint Resolution No. 2, having had same under consideration, reported same correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 23, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Capital and Labor, to whom was referred Senate Bill No. 39, having had same under consideration, reported same back with the recommendation that Bill be referred to the Judiciary Committee. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 23, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Judiciary, to whom was referred Senate Bill No. 3, introduced by Brower, being "An Act to amend Section 2 of Chapter 83, Session Laws of the Thirteenth Legislative Assembly of the State of Montana, 'An Act to provide for the regulation of sale of articles by weight, measure and numerical count, within the State of Montana; creating the office of State Sealer of Weights and Measures, providing the duties and powers of such State Sealer of Weights and Measures; providing penalties for the violation of the provisions of this Act, and

repealing the provisions of Chapter 34 of the Laws of the Twelfth Legislative Assembly,' approved March 13, 1913," having had the same under consideration, reported same back with the recommendation that the Bill be amended as follows:

Amend title to read Sections 2 and 3. Section 3 to be as follows: Section 3. The Secretary of State as ex-officio State Sealer of Weights and Measures is hereby authorized to appoint one State Deputy Sealer of Weights and Measures, which said State Deputy Sealer of Weights and Measures shall receive a salary of \$150.00 per month and all the necessary expenses incurred in the conduct of the duties of his office. The said State Deputy Sealer of Weights and Measures shall be the chief of the department of the weights and measures, under the direction and control of the Secretary of State as Sealer of Weights and Measures ex-officio. The State Deputy Sealer of Weights and Measures and the inspectors of weights and measures under his supervision, shall have authority to do and perform any and all acts by this Act authorized. All bills and accounts of expense incurred by the State Deputy Sealer of Weights and Measures shall be presented to and allowed by the State Board of Examiners, in the same manner as provided for other claims, contracted for and in behalf of the State of Montana.

Section No. 2 of Bill to be numbered 4.

Section No. 3 of Bill to be numbered 5.

And as so amended, recommend that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 23, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Haley: "An Act to alter, change and define boundaries of Prairie County."

By Ellingsen: "An Act requiring the Scandinavian languages to be taught at the State University of Missoula."

By Whiteside: "An Act to provide a uniform system for the issuance of warehouse receipts and fixing the obligations and liabilities of public warehousemen."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 23, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 4, introduced by Edwards, entitled, "An Act requiring an oath to be taken by persons testifying before Legislative Committees, and providing that false testimony given by such persons shall constitute perjury," was this day read a third time and passed, title agreed to;

Also, S. B. No. 15, introduced by Larson, entitled, "An Act to amend Section 9289 of the Revised Codes of Montana, 1907, relating to evidence necessary to convict of crime of obtaining money or property by false pretense," was this day read a third time and passed, title agreed to;

Also, S. B. No. 18, introduced by Jones, entitled, "An Act to amend Section 3178 of the Revised Codes of Montana, 1907, providing for the per diem and mileage of grand and trial jurors for attendance before courts of record," was this day read a third time and passed, title agreed to.

Same is herewith transmitted to your Honorable Body for concurrence.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 23, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 63—Dwight: "An Act to amend Section 1600 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, providing for the method of selecting, purchasing, exchanging or selling of school house sites in school districts of the third class and relating to school house sites in general." Referred to Committee on Education.

S. B. No. 64—Dwight: "An Act to amend Sub-division 8 of Section 508



of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the purchasing of school sites and the building and removal of school houses." Referred to Committee on Education.

S. B. No. 65—Healey: "An Act to empower cities of the first, second and third class to provide band concerts for the entertainment of their people during the months of June, July, August and September of each year." Referred to Committee on Counties and Towns.

S. B. No. 66—McCone: "An Act to amend Section 94 of Chapter 147 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, providing for a land office expense fund, and the disposition of the same." Referred to Committee on Public Lands.

S. B. No. 67—Judiciary Committee: "An Act providing what district judges shall preside in counties having no resident district judge." Referred to Committee on Judiciary.

S. B. No. 68—Oliver: "An Act to amend Sections 1, 2, 3, 4 and 12, Chapter 139, Session Laws of the Fourteenth Legislative Assembly, relating to creation of new counties." Referred to Committee on Counties and Towns.

S. B. No. 69—Edwards: "An Act to amend Section 3146 of the Revised Codes of Montana of 1907, relating to fees for naturalization and disposition of same." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE, Secretary of the Senate.

Mr. Speaker notified the House that he was about to sign H. B. No. 5, a Bill for an Act entitled, "An Act relating to bridges within any city or town upon a highway crossing a natural stream separating one part from another part of any county in which such city or town is situated and providing for the construction and maintenance of such bridges and their approaches," and signed same in the presence of the House.

Mr. Speaker notified the House that Representative Eliel was now present and that he was prepared to administer the oath of office, provided Mr. Eliel had not already taken same. Representative Eliel notified the members of the House that he had already subscribed to the Constitutional oath. He expressed his pleasure at being able to renew the friendships formed during previous sessions and ventured the hope that he might form as close friendships among the new members whom he saw about him, friendships which would result not only to their mutual benefit, but to the benefit of the constituency which they represented and to the benefit of the State of Montana.

### THIRD READING OF HOUSE BILLS.

H. B. No. 10, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, White, Working, Mr. Speaker—83.

Noes: Baxter, Ward, Wheat—3.

Absent and not voting: Baldwin, Belden, Crowley, Flanigan, Gould, McDonald, McMillan, Prosser, Bernard—9.

Title agreed to and Bill transmitted to Senate for its concurrence.

H. J. R. No. 4, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eliel, Eaton, Farmer,



Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Mr. Speaker—89.

Noes: None.

Absent and not voting: Flanigan, Gould, McMillan, Prosser, Working, Bernard—6.

Title agreed to and Bill transmitted to Senate for its concurrence.

On motion of Blake, House resolved itself into a Committee of the Whole for consideration of General Orders, with exception of H. B. No. 53.

### GENERAL ORDERS.

Murray in the chair.

House resumed.

Mr. Speaker in the chair.

Murray from the Committee of the Whole reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration House Joint Resolution No. 1 introduced by Harbert, "A Resolution memorializing Congress for an appropriation of \$1,000,000.00 for the Flathead Irrigation Project for the ensuing year," beg leave to report same back to the House with the recommendation that same do pass.

Also having had under consideration House Joint Resolution No. 2, introduced by Harbert, "A Resolution memorializing Congress for the passage of hydro-electric power legislation that will enable the Government to lease power sites to private legitimate enterprises under proper rules and regulations," beg leave to report same back to the House with the recommendation that same do pass.

Also having had under consideration House Joint Memorial No. 2, introduced by Kemmis, "A Resolution memorializing Congress to relinquish and cease to exercise its jurisdiction over the Missouri and Yellowstone Rivers in the State of Montana," beg leave to report same back to the House with the recommendation that same do pass.

Also having had under consideration House Joint Memorial No. 4, introduced by Committee on Public Morals, Charities and Reforms, relating to polygamy," beg leave to report same back to the House with the recommendation that same do pass.

Also having had under consideration H. B. No. 29, introduced by Mason, "A Bill for an Act to amend Section 1739 Revised Codes of Montana of 1907, relating to hours of labor for municipalities, mines, mills and smelters," beg leave to report same back to the House with the recommendation that same, with all pending amendments, be re-referred to the Committee on Labor.

Also having had under consideration H. B. No. 48, introduced by Stimpert, a Bill for an Act entitled, "An Act providing for the creation of Commissioner Districts within counties and the election of County Commissioners from such districts of the several counties in the State of Montana, and repealing all Acts and parts of Acts in conflict with the provisions of this Act," beg leave to report same back to the House with the recommendation that same do pass.

Also having had under consideration H. B. No. 46, introduced by Murray, a Bill for an Act entitled, "An Act to provide for financial aid in the care of dependent children in their own homes under direct control of the mothers of such children, whose fathers are dead or inmates of some Montana institution of charity or correction, or who are physically or mentally unable to work, or who have for a period of two years or more failed to provide for said children," and beg leave to report same back to the House with the recommendation that same be re-referred to General Orders.

Also having had under consideration H. B. No. 62, introduced by Murray, a Bill for an Act entitled, "An Act to amend Section 3246 of the Revised Codes of Montana of 1907, relating to salary of clerk," beg leave to report same back to the House with the recommendation that same be re-referred to General Orders.

Report adopted, and H. J. R. Nos. 1 and 2, H. J. M. Nos. 2 and 4, and H. B. No. 48 referred to Engrossment Committee.

On motion of Brooks, House reverted to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

The following Resolution was read and adopted:

House Joint Resolution No. 7, introduced by Brooks:

WHEREAS, Under Section 5, of Chapter 1, of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, the House of Representatives and the Senate, may, by joint resolution, adopted and spread upon the Journals of each House, provide for the employment of additional help in cases of emergency where extraordinary conditions of the business of the Legislative Assembly; and

WHEREAS, The House of Representatives now finds it necessary for the expeditious conduct of business to have additional help, viz.: one cloak room attendant and one mailing clerk to expedite the work of the House of Representatives;

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Fifteenth Legislative Assembly of the State of Montana, the Senate concurring, that the employment committee of the House of Representatives be and is hereby authorized to appoint the additional help above set forth in this Resolution, such clerk and other help being required in order to expedite the business of the assembly; and

BE IT FURTHER RESOLVED, that the employment committee of the House of Representatives be and is hereby authorized to appoint such additional help as from time to time may be necessary for the prompt and expeditious conduct of the business of the assembly, in accordance with the provisions of the above mentioned Section 5, of Chapter 1, of the Session Laws of the Fourteenth Legislative Assembly.

On motion of Blake, House adjourned at 2:05 P. M. until 11:00 o'clock A. M., Thursday, January 25, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## TWENTY-FIFTH DAY

Thursday, January 25, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll called. All members present.

Blodgett from the Committee on Journal reported as follows:

Mr. Speaker: Your Committee on Journal beg to report that they have examined the Journal of the Twenty-fourth day and find the same to be correct. Report adopted.

### COMMUNICATIONS AND PETITIONS.

A letter was received from Senator J. M. Burlingame, expressing his appreciation for the Resolution adopted by the House on January 18.

A communication was received from the Virginia City Mining Association, protesting against the levying of a tax on the mining industry in Montana.

### NOTICES OF BILLS.

By Blodgett: "An Act to repeal Title XI of Part II of the Code of Civil Procedure of the Revised Codes of Montana of 1907, including therein Sections 6986 to 7091, inclusive, of the Revised Codes and to repeal said Sections, relating to proceedings in Justices' Courts, and to enact in the place of said repealed title and sections a title to be known as Title XI of Part II of the Code of Civil Procedure of the Revised Codes of Montana of 1907, and relating to proceedings

in Justices Courts, being a Code of Civil Procedure for Justice Courts, containing in said title Chapters, Articles and Sections, the section numbers of the title here enacted taking the place of the numbers of said repealed sections."

By Bent: "An Act to amend Section 8346, Revised Codes of 1907, concerning the desertion and abandonment of children and prescribing penalties."

By Kehoe: "An Act providing for the Commission-Manager Plan of Government for cities and towns, providing for the election of officers therein, defining their duties and powers and providing for their compensation."

By Johnston: "An Act to amend Chapter 68 of the Laws of the Fourteenth Legislative Assembly of the State of Montana; providing for Sunday closing of all saloons, and fixing the penalty for the violation of this Act."

By Searles: "An Act to appropriate money for the maintenance, improvement and operation of the Fish Hatcheries of the State of Montana and for the expense of the Montana Fish Commission."

By Committee on Conservation of Resources: "An Act to provide for the storing of flood waters, and giving to the person erecting storage works or dams the right to the use and ownership of waters so stored."

By Judiciary Committee: "An Act to amend Section 6594 of the Revised Codes of Montana of 1907, relating to the serving of notices in Judicial proceedings."

By Murray: "An Act to amend Section 2 of Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, enumerating County Officers and fixing the compensation of such officers according to the classification of counties."

By White: "An Act to provide for party nominations by direct vote; to establish a system of voting by mail at such primary elections; to provide a method for the counting and canvassing of such vote; providing punishment for the violation hereof and repealing all Acts or parts of Acts in conflict herewith."

By Ward: "An Act to amend Section 3342 of the Revised Codes of 1907, as amended by Chapter 103 of the Session Laws of 1911, relating to the amount of taxes to be assessed and levied by municipalities for general municipal and administrative purposes, and for the purpose of maintaining public parks."

By Buell of Gallatin: "An Act to amend Section 3114 of the Revised Statutes of 1907, and to allow Justices of the Peace who are admitted to practice in Courts of Record to practice their profession in said Courts of Record."

By Baldwin: "An Act providing that any flour mill in the State of Montana shall accept wheat and grind same into flour and fixing a toll charge and fixing a penalty for a violation thereof."

By Anderson: "An Act authorizing the Board of Railroad Commissioners to appoint an attorney to act in that capacity for and under the direction of the Board of Railroad Commissioners and Public Service Commission of the State of Montana, and defining the duties and fixing the salary of such attorney."

By White and Sektnan: "An Act to create Herd Districts and prevent live-stock running at large in established Herd Districts and to provide for the fixing and collection of damages from stock trespassing within the boundaries of such districts and repealing all Acts and parts of Acts in conflict herewith."

#### REPORTS OF STANDING COMMITTEES.

Weil from the Committee on Privileges and Elections reported as follows:

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bills Nos. 8, 94 and 99, respectfully beg leave to report as follows: That same be referred to the Joint Committee on Primary and Election Laws for their recommendation and return same to this Committee for further consideration. Report adopted.

Duffy from the Committee on Federal Relations reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 1, introduced by Larson, "Petition to Congress to enact a law admitting to citizenship one George Washington Taylor, formerly known as Sing On, born within the empire of China," respectfully beg leave to report as follows: That same do pass.

Report adopted, and Memorial placed on General Orders.



Morris from the Committee on Live Stock and Public Ranges reported as follows:

Mr. Speaker: We, your Committee on Live Stock and Public Ranges, having had under consideration House Bill No. 92, introduced by Quaintance, a Bill for an Act entitled, "An Act prohibiting the herding of sheep within certain limits, and providing a penalty for the violation thereof," respectfully beg leave to report as follows: That Bill do not pass. Report adopted.

Morris from the Committee on Live Stock and Public Ranges reported as follows:

Mr. Speaker: We, your Committee on Live Stock and Public Ranges, having had under consideration House Bill No. 93, introduced by Quaintance, a Bill for an Act entitled, "An Act relating to the grazing of sheep on cattle ranges and declaring the same to be a misdemeanor," respectfully beg leave to report as follows: That Bill do not pass. Report adopted.

Husser from the Committee on Public Health and Sanitary Affairs, reported as follows:

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 112, introduced by Husser, a Bill for an Act entitled, "An Act to prevent infant blindness, caused by the preventable disease known as ophthalmia neonatorum," recommend that the same be amended as follows:

That Section 6 be known as Section 7, and to insert Section 6 as follows: Section 6. All Acts and parts of Acts in conflict herewith are hereby repealed.

And recommend that the Bill do pass as amended.

Report adopted, and Bill referred to Printing Committee.

Husser from the Committee on Public Health and Sanitary Affairs reported as follows:

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 81, introduced by Holt, a Bill for an Act entitled, "An Act providing for the installation of sanitary drinking fountains in all hotels, located in towns or cities in this State, wherein a water works system has been or may hereafter be installed, and providing penalties for failure to comply herewith," recommend that the same be amended to read as follows:

That the title be changed to read, a Bill for an Act entitled, "An Act providing for the installation of sanitary drinking fountains in all hotels, railroad passenger depots, theaters and moving picture houses, located in towns and cities in this State, wherein a publicly operated water works system has been or may hereafter be installed, and providing penalties for failure to comply therewith."

Section 1, line 2, insert after "hotels" the words "railroad passenger depots, theaters and moving picture houses." Line 3, insert before the word "operated" the word "publicly." Line 4, insert after the word "hotel" the words "railroad passenger depots, theaters and moving picture houses." Line 5, insert after the word "install" the words "in accordance with the regulations laid down by the State Board of Health." Line 8, insert after the word "hotel" the words "railroad passenger depot, theater and moving picture house." In the same line, instead of "ninety days," insert "one hundred and fifty days."

Section 2, line 2, insert after the word "hotel" the words "railroad passenger depot, theater and moving picture house." In line 4, after the word "own," insert the words "publicly operated." In lines 5 and 6, insert "one hundred and fifty days," instead of "ninety days."

Section 5, the last line to read "one hundred and fifty days," instead of "ninety days."

And recommend that the Bill do pass, as amended.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 36, by Harbert, a Bill for an Act entitled, "An Act to amend Sections 12 and 21 of Chapter 57 of the Session Laws of the State of Montana of 1911, relating to commission form of government for cities, provid-



ing for the election of officers therein, defining their duties and powers and providing for their compensation," respectfully beg leave to report as follows: That, as amended, it be reported back to the House with the recommendation that it do pass."

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 97, by Holt, a Bill for an Act entitled, "An Act to amend Section 4076 of the Revised Codes of the State of Montana of 1907," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 22, by Crismas, a Bill for an Act entitled, "An Act to provide for the semi-annual payment of property taxes at the option of each taxpayer and to provide and to fix penalties for the non-payment of taxes," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be printed.

On motion of Crismas, Bill considered printed and placed on General Orders.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 116, by Duffy, a Bill for an Act entitled, "An Act making the theft of electric and motor driven vehicles and motorcycles a felony and to provide a penalty therefor," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 114, by Farmer, a Bill for an Act entitled, "An Act to amend Section 8293 of the Revised Codes of the State of Montana of 1907, relating to penalty for murder in the first degree," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 50, by Farmer, a Bill for an Act entitled, "An Act to amend Section 3114 of the Revised Codes of 1907," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 24, by Bernard, a Bill for an Act entitled, "An Act amending Section 459 of the Revised Codes of Montana of 1907, fixing the compensation of Boards of Election," respectfully beg leave to report as follows: That, as amended, it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 109, by Demel, a Bill for an Act entitled "An Act to amend Sections 3457, 3461, 3462 and 3463 of the Revised Codes of Montana of 1907, relating to the issuance of bonds by cities and towns," respectfully beg leave to report as follows: That, as amended, it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred Joint House Resolution No. 1, introduced by Harbert, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on calendar for third reading.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Joint Resolution No. 2, introduced by Harbert, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on calendar for third reading.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Joint Memorial No. 2, introduced by Kemmis, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on Calendar for third reading.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Joint Memorial No. 4, introduced by Committee on Public Morals, Charities and Reforms, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on calendar for third reading.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 48, introduced by Adam Stimpert, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on calendar for third reading.

#### INTRODUCTION AND SECOND READING OF BILLS AND MEMORIALS.

H. B. No. 121, introduced by Ward: A Bill for an Act entitled, "An Act to create a fund in cities of the State of Montana having a police department, to be known as the Police Relief and Pension Fund, for the benefit of policemen and their families; and to provide for the organization, government and control thereof; to provide punishment for the violation of the provisions of this Act; to authorize cities to levy an annual tax for the benefit of such fund and to set apart annually for the benefit of such fund a percentage of the fines collected in money in the police court; to authorize the Board of Trustees of such fund to acquire money for the benefit of such fund from interest, rents, rewards to members of the police department, and monthly dues from such members and from any other source, and to receive and take property, real or personal, by donation, gift, grant, devise or bequest for the use and benefit of such fund, and to authorize and permit gifts, grants, donations, bequests, devises and testamentary disposition to be made to such Board of Trustees for the benefit of such fund." Read first and second times and referred to Committee on Affairs of Cities.

H. B. No. 122, introduced by Duffy. A Bill for an Act entitled, "An Act to provide for a uniform traffic regulation in cities and towns throughout the State of Montana for street cars, electric driven, motor driven and horse drawn vehicles, motorcycles and bicycles." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 123, introduced by Henderson: A Bill for an Act entitled, "An Act establishing and defining the boundary line between Dawson county and Rosebud county, State of Montana." Read first and second time, and referred to Committee on New Counties and Divisions.

H. B. No. 124, introduced by Ashby: A Bill for an Act entitled, "An Act appropriating money for the maintenance of the State Board of Poultry Husbandry for the two years commencing March 1, 1917, and ending February 28, 1919." Read first and second time and referred to Committee on Appropriations.

H. B. No. 125, introduced by McQuarrie: A Bill for an Act entitled, "An Act to amend Chapter XXII of the Revised Codes of Montana of 1907, by repealing all of Sections 2112, 2113, 2114, 2115, 2116, 2117, 2118 and providing for an Act relating to the inspection of Petroleum Products, appointment of inspectors, fees and salaries of inspectors, and prohibiting the sale of adulterated oils and gasoline, and providing penalties for violation thereof." Read first and second time and referred to Judiciary Committee.

H. B. No. 126, introduced by Jones: A Bill for an Act entitled, "An Act to amend Section 4312 of the Revised Codes of the State of Montana, 1907, relat-

ing to the penalty for failure to keep record of stock killed or injured by railway company as provided for in Section 4311." Read first and second time and referred to Committee on Railways and Transportation.

H. B. No. 127, introduced by Buell of Missoula: A Bill for an Act entitled, "An Act to authorize and empower cities and towns to construct, maintain, establish and operate, within their limits, swimming pools, skating rinks and play grounds, to defray the cost and expenses thereof from their park funds, and to provide necessary rules and regulations for the establishment, maintenance and use thereof." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 128, introduced by Demel and Scott: A Bill for an Act entitled, "An Act to prohibit livestock from running at large in any city or within one (1) mile thereof, and in any incorporated town or within half ( $\frac{1}{2}$ ) a mile thereof, and providing a penalty for the violation hereof." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 129, introduced by Hawks: A Bill for an Act entitled, "An Act for the submission to the qualified electors of the State of Montana of an Amendment to Section 6 of Article XVI of the Constitution of the State of Montana, relating to municipal corporations and officers." Read first and second time and referred to Judiciary Committee.

H. B. No. 130, introduced by Kehoe. A Bill for an Act entitled, "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession in the State of Montana." Read first and second time and referred to Judiciary Committee.

H. B. No. 131, introduced by Dodds. A Bill for an Act entitled, "An Act concerning the placement of homeless and dependent children, providing for reports and fixing penalties." Read first and second time and referred to Committee on Public Morals, Charities and Reforms.

H. B. No. 132, introduced by Murray: A Bill for an Act entitled, "An Act to regulate the hours of continuous employment of firemen in cities of the first and second class." Read first and second time and referred to Judiciary Committee.

H. B. No. 133, introduced by Farmer: A Bill for an Act entitled, "An Act to amend Section 3 of Chapter 73 of the Session Laws of the State of Montana and fixing the fees to be paid by incorporated cities and towns and by school districts of the first and second class into the fund known in the laws as the State Examiners fund." Read first and second time and referred to Judiciary Committee.

H. J. M. No. 5, introduced by Hathaway: Memorial to Congress to pass an amendment to the Federal Constitution and submit the same to the several states for ratification, prohibiting the manufacture and sale of intoxicating liquors for use as a beverage." Read first and second times and referred to Committee on Federal Relations.

## MOTIONS AND RESOLUTIONS.

Lusk: I move that Senate Joint Memorial No. 1 be made a special order of business for consideration in Committee of the Whole at 1:30 P. M., January 25, 1917. Motion carried.

Higgins: I move that by reason of the fact that sickness compelled the absence of Mr. Frank Eliel from attendance at the sessions of the House until the twenty-fourth day of January, his absence be excused, and he be granted his per diem from the first day of the session. Motion carried.

The following resolution was received:

Helena, Montana, January 25, 1917.

Mr. Speaker: On behalf of the members of this House we respectfully present the following statement and resolution:

Pursuant to a notice given on the floor of this House yesterday, a joint caucus of the Republican members of the House and Senate was convened in the ball room of the Placer hotel at seven o'clock on the evening of the 24th inst.; and

WHEREAS the said caucus then proceeded to an orderly dispatch of the business for which it was called; and

WHEREAS during the session of said caucus it appeared that reporter



Perkins, representing the Helena Independent, was discovered in a place where he had concealed himself underneath a platform in the said room, the obvious purpose of his presence being to clandestinely possess himself of information concerning a secret deliberative body; and

WHEREAS the members of said caucus have demanded of the said Helena Independent, a newspaper printed and published in the county of Lewis and Clark, a public apology for the unpardonable and reprehensible conduct of its representative; and

WHEREAS the said reporter Perkins gained information concerning the holding of said meeting while enjoying the privileges of a reporter on the floor of this House;

NOW, THEREFORE, BE IT RESOLVED, By the members of the House of Representatives that reporter Perkins and the Helena Independent and all of its representatives be excluded from the floor of this House and all of the privileges appertaining thereto and the Sergeant-at-Arms be instructed to enforce the conditions of this Resolution.

Respectfully submitted,

(Signed) E. C. BAXTER.

Motion of McMahon that Resolution be laid on the table, carried by following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Ball, Bent, Blodgett, Carl, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Duffy, Farmer, Fishbaugh, Gould, Grimes, Hathaway, Hawks, Hurd, Husser, Ironside, Jensen, Kehoe, Larse, Lemmon, McMahon, Mason, Morris, Morrow, Murray, O'Brien, Page, Prosser, Rainey, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—47.

Noes: Anderson (Oscar W.), Arneson, Baldwin, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Cotter, Dodds, Eaton, Eliel, Fuller, Gullidge, Harmon, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Kemmis, Lanstrum, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Middleton, Phelps, Quaintance, Rasmussen, Sand, Scott—44.

Absent and not voting: Clark, Flanigan, Harbert, Griffin—4.

Belden: I move that reporter Perkins be denied the privilege of the House.

McMahon: I move, as an amendment to the motion of Mr. Belden, that the Speaker be authorized to refer the matter to a standing committee of the House or to a non-partisan committee, appointed by him.

Motion of McMahon carried by the following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Ball, Bent, Blodgett, Carl, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Duffy, Farmer, Fishbaugh, Gould, Grimes, Hathaway, Hawks, Hurd, Husser, Ironside, Jensen, Kehoe, Larse, Lemmon, McMahon, Mason, Morris, Morrow, Murray, O'Brien, Page, Prosser, Rainey, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Mr. Speaker—47.

Noes: Anderson (Oscar W.), Arneson, Baldwin, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Cotter, Dodds, Eaton, Eliel, Fuller, Gullidge, Harmon, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Kemmis, Lanstrum, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Middleton, Phelps, Quaintance, Rasmussen, Sand, Scott, Working—45.

Absent and not voting: Flanigan, Fishbaugh, Harbert—3.

Mr. Speaker appointed the following committee to investigate the case of Reporter Perkins: McMahon and Belden.

Hurd from the Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 74 and 58 and House Joint Memorial No. 3, beg leave to report that same have been correctly printed.

Report adopted and Bills and Memorial placed on General Orders.

On motion of Murray, House recessed at 12:15 until 1:30 P. M.



## AFTERNOON SESSION.

House reassembled at 1:30 P. M.

Mr. Speaker in the Chair.

Roll called. Quorum present.

On motion of Lusk, House resolved itself into a Committee of the Whole for the consideration of Senate Joint Memorial No. 1.

Eliel in the chair.

House resumed.

Mr. Speaker in the chair.

Eliel from the Committee of the Whole reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. J. M. No. 1, "Petition to Congress to enact a law admitting to citizenship one George Washington Taylor, formerly known as Sing On, born within the empire of China," reports the same back to the House with the recommendation that it be concurred in. Report adopted.

On motion of Lusk, House reverted to Eighth Order of Business, and S. J. M. No. 1 was placed on Third Reading.

## THIRD READING OF SENATE BILLS.

S. J. M. No. 1, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W), Arneson, Ashby, Baldwin, Ball, Bent, Bernard, Blake, Blodgett, Brooks, Booth, Buell of Missoula, Buchanan, Burnworth, Carl, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White, Working, Mr. Speaker, Baxter, Buell of Gallatin, Grimes, Jones, McDonald—84.

Noes: None.

Absent and not voting: Andrew, Belden, Cotter, Flanigan, Harbert, Harmon, Henderson, Morris, Rasmussen, Ward, Kemmis—11.

On motion of Farmer, House reverted to Second Order of Business.

## NOTICES OF BILLS.

By Farmer: An Act relating to funeral, burial and benefit associations and declaring them to be insurance corporations."

By Farmer: "An Act to amend Section 73 of Chapter 120 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, 'An Act to regulate the operation of all coal mines in the State of Montana. To provide for their inspection and the qualifications of inspectors and certain other employees of coal mines and to codify all laws with reference to the operation of all coal mines in the State of Montana, repealing Sections 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710 and 2023 of the Revised Codes of the State of Montana, and Chapters 64 and 65 of the Laws of 1909'."

By Jensen: "An Act to repeal Chapter XIII of the Political Code of the State of Montana being Sections 2041 to 2049, both inclusive, of the Revised Codes of 1907 relating to local option."

## CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, January 24, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 54, introduced by Holt, was this day reported back by the Judiciary Committee, with the recommendation that the Bill be not concurred in. Report adopted. The Bill is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 24, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committee with recommendations:

Committee on Finance and Claims, reported Senate Bill No. 52, entitled, "An Act to provide for the issue and sale of bonds, by the State Board of Examiners of the State of Montana, for refunding Capitol Building Bonds of the State of Montana," that all of the third subdivision of Section 1 be stricken out and the following inserted in lieu thereof: "The term of said bonds shall not exceed ten years; and the bonds issued pursuant to this Act shall be redeemable and payable at the option of the said Board of Examiners in the following manner: One-fifth within one year from their date, or at any interest paying date thereafter; one-fifth within two years from their date, or at any interest paying date thereafter; one-fifth within three years from their date, or at any interest paying date thereafter; and one-fifth within four years from their date, or at any interest paying date thereafter; one-fifth within five years from their date, or at any interest paying date thereafter." Amend the fourth subdivision of Section 1 by striking the word "five" and the figure "5" in the second line of said fourth subdivision of Section 1, and inserting in lieu thereof the word "four" and the figure "4," with said recommendations that Bill do pass.

Committee on Railroads and Transportation reported Senate Bill No. 33, introduced by Stevens, entitled, "An Act to require railroad companies to clean and cooper box cars placed for loading grain or other commodities subject to loss by leakage, and providing a penalty for non-compliance with the provisions of this Act," recommending that same be amended as follows:

Section 2, line 7, after the word "properly" insert the words "cleaned and."

Section 3, line 3, after the word "to" insert the words "clean and."

Line 6, after the word "cooper" insert the words "and clean."

Line 8, after the word "per" strike out the word "ten" and insert the word "eight."

Section 4, line 5, after the word "and" insert the words "clean and."

Section 5, line 3, after the word "repaired" insert the words "or cleaned."

Section 6, line 1, after the word "or" insert the words "cleaning or," and as amended that Bill do pass.

Committee on Railroads and Transportation, reported Senate Bill No. 27, introduced by Clark, entitled, "An Act providing for the manner, time and place of issuing bills of lading, and the manner, time and place of delivery of bills of lading by railway companies, at stations where station agents are not provided; and providing a penalty for the violation thereof," recommending that the Bill do pass.

Committee on Railroads and Transportation, reported Senate Joint Resolution No. 3, introduced by Hogan, entitled, "A Resolution relating to increase in compensation in the Federal Mail Service," recommend that the same do pass.

Committee on Mines and Mining, reported Senate Bill No. 32, introduced by Oliver, entitled, "An Act regulating the casing of oil and gas wells, and the mode of plugging the same when abandoned," recommending that the Bill be printed.

Committee on Mines and Mining, reported Senate Bill No. 51, introduced by Gallwey, entitled, "A Bill for an Act relating to and regulating the manufacture, keeping, storage, transportation and sale of explosives and providing penalties for any violation of the provisions thereof," recommending that the same be printed.

Committee on Insurance, reported Senate Bill No. 16, relative to the matter of Hail Insurance, as follows:

Section 1: In the last sentence of said section insert after the word "Act" the following: "Shall file in the office of the County Assessor the blanks above referred to, properly filled out, not later than June 1st and"

Section No. 3: Add thereto the words "not later than December 31st of the year in which said taxes are collected."

Section No. 7: Insert after the word "shall" in the third line, the words "require the claimant to."

Section No. 12: By inserting at the beginning of the second sentence in said section and as a part of said sentence the words "The Chairman of the State

Board of Hail Insurance shall receive a salary of Twenty-four Hundred Dollars (\$2,400.00) per year and actual traveling expenses and," and as so amended that the Bill do pass.

Committee on Engrossed Bills reported that Senate Bills Nos. 30 and 36 have been correctly engrossed.

Committee on Constitutional Amendments reported Senate Bill No. 54, entitled "An Act providing for the submission to the qualified electors of the State of Montana at the general election to be held in said State in November, 1918, the question whether there shall be a convention to revise, alter and amend the Constitution of the State of Montana," with the recommendation that same do pass.

Committee on Judiciary reported House Bill No. 54, entitled, "An Act to prohibit constables from practicing law, performing legal duties, making claims for participating in proceedings or cases in court in the State of Montana," with the recommendation that it do not pass.

Committee on Judiciary reported Senate Bill No. 26, entitled "An Act defining the duties of Boards of County Commissioners; relating to the purchasing of supplies for their respective counties," that it be amended as follows:

Section 1: By striking out the words "lowest responsible." Insert after the word "bidder," "who in the opinion of the County commissioners will serve the best interests of the county."

Section 4 to read as follows: "Any person or persons, violating the provisions of this Act shall be liable to a fine of not less than fifty (\$50.00) Dollars, or more than Five Hundred (\$500.00) Dollars."

That the present Sections 4, 5 and 6 be numbered accordingly. And that the Bill as so amended do pass.

Committee on Judiciary reported Senate Bill No. 20, entitled "An Act to provide for the issuance by the State of Montana of official bonds for all public officials, elective and appointive in the State and at each and every appointive division thereof; to provide for the creation of a state board of official bondsmen; to provide for the duties of public officers in connection therewith; and providing for the payment of a premium in such official bonds, and for the adjustment and settlement of liabilities incurred thereby and to prevent any other manner of bonding public officials," with the recommendation that it do pass.

Committee on Judiciary reported House Bill No. 31, entitled, "An Act to amend Section 8070E Revised Codes of Montana enacted in Chapter 113 in the Laws of 1915, so as to avoid the necessity of taking oral testimony for securing an order of publication of summonses in an action to quiet title."

House Bill No. 43, entitled "An Act to amend Section 79, Chapter I of the Laws of the Fourteenth Legislative Assembly of the State of Montana, 1915, providing for salaries of Legislative officers."

House Bill No. 49, entitled, "An Act to amend Section 5177, Revised Codes of Montana, 1907, and relates to the defrauding of the owner of an inn or hotel; of a cafe, restaurant, apartment, rooming or boarding house; providing penalties for the violations thereof," with the recommendation that the several named Bills do pass.

Committee on Judiciary reported Senate Bill No. 25, same pertaining to counties, with the recommendation that it be referred to the Committee on Towns, Counties and Municipal Corporations.

Committee on Judiciary reported House Bill No. 18, the same proposing a constitutional amendment, with the recommendation that it be referred to the Committee on Constitutional Amendments.

Committee on Judiciary reported House Joint Resolution No. 6, with the recommendation that it be returned to the House for the proper recording of its title.

Committee on Judiciary reported Senate Bill No. 39, entitled, "An Act to make lawful certain agreements between employers and laborers and to limit the issuance of injunctions in certain cases," with the recommendation that it do not pass.

Respectfully,

J. F. CONE, Secretary of the Senate.



Senate Chamber, Helena, Montana, January 24, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given, list of which are herewith attached.

Respectfully,

J. F. CONE, Secretary of the Senate.

### NOTICES OF INTRODUCTION OF BILLS.

January 24, 1917.

By Healey: "An Act for the submission to the qualified electors of the State of Montana, of an amendment to Section 6, Article 13, of the Constitution of the State of Montana, relating to the indebtedness of cities and towns."

By Kane: "An Act to amend Sections 1 (a), 1 (b), 1 (c), 2 (d), 3 (e), 3 (f), 3 (g), 3 (h), 3 (i), 4 (a), 6 (i), 6 (j), 6 (k), 6 (l), 6 (m), 6 (q), 6 (cc), 7 (a), 7 (b), 8 (d), 9 (a), 9 (b), 10 (a), 10 (b), 13 (a), 13 (b), 14 (f), 16, 16 (a), 16 (b), 16 (c), 16 (d), 16 (e), 16 (f), 16 (g), 16 (h), 16 (i), 16 (j), 16 (k), 17 (b), 17 (f), 17 (g), 17 (h), 17 (i), 17 (j), 17 (k), 18 (c), 35 (b), 30 (a), 30 (b), 30 (g), 40 (a), 40 (c), 40 (m), 40 (r), 40 (t), and 51 (a) of Chapter 95 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, an Act entitled, "An Act providing for the protection and safety of workmen in all places of employment in all inherently hazardous works and occupations; providing a schedule of compensation for injury to, or death of workmen and methods of paying the same prescribing the liability of employers who do not elect to pay such compensation; establishing an industrial accident board, defining its powers and duties, and providing for a review of its awards, and to add two additional sections thereto to be designated respectively, 17 (l) and 25 (c) and to repeal Sections 4 (b), 4 (c), 4 (d), 4 (e), 5, 6 (a), 6 (b), 6 (c), 6 (d), 6 (e), 6 (f), 8 (a), 8 (b), 8 (c), 14 (a), 14 (b), 14 (c), 14 (d), 14 (e), 35 (a), 35 (b), 35 (c), 35 (d), 35 (e), 35 (f), 35 (g), 35 (h), 35 (i), 35 (j), 35 (k), and 35 (l), of said Act."

By Oliver: "An Act to amend Section 6, Article 209, Chapter XI of the Revised Codes of 1907, relating to reports of State Examiners."

By Stevens: "An Act to amend Section 3 of Chapter 52 of the Laws of 1913, relating to the establishment of the Public Service Commission of Montana, and prescribing its duties and powers, with reference to the jurisdiction of the said commission over certain public utilities."

Senate Chamber, January 24, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times, and referred as follows:

S. B. No. 70, Whiteside: "An Act to define the status of children born out of wedlock; making the birth of any such child a legal bond of wedlock between unmarried parents of such child; fixing the legal status and obligations between father and child; providing the method by which paternity may be established and fixing penalties for violations of this Act." Referred to Committee on Public Morals.

S. B. No. 71, Whiteside: "An Act to regulate the storage of goods in warehouses, and fixing penalties for the violation of this Act." Referred to Committee on Agriculture.

S. B. No. 72, Ellingson: "An Act requiring the Scandinavian languages to be taught at the State University at Missoula." Referred to Committee on Education.

S. B. No. 73, Burla: "An Act to provide for the appointment of a custodian for the State Capitol, fixing his term of office, defining his duties, powers and authority; and to repeal Section 157, Article 5, Section 3 of the Political Code of the State of Montana." Referred to Committee on Public Buildings.

S. B. No. 74, Lane: "An Act making it unlawful to fish through the ice of certain streams of the State which have been stocked; providing for penalty for violations thereof; and repealing all Acts and parts of Acts in conflict therewith." Referred to Committee on Fish and Game.

Respectfully,

J. F. CONE, Secretary of the Senate.



## THIRD READING OF HOUSE BILLS.

H. J. R. No. 1, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Ball, Bent, Bernard, Carll, Connolly, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henry, Hurd, Husser, Ingalls, Jensen, Johnston of Ravalli, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working, Mr. Speaker—63.

Noes: Arneson, Baldwin, Baxter, Belden, Blake, Booth, Brooks, Buell of Gallatin, Buchanan, Burnworth, Clark, Cotter, Henderson, Holt, Huffaker, Johnson of Deer Lodge, Kelsey, Lewis, McClory, Phelps, Rasmussen—21.

Absent and not voting: Blodgett, Buell of Missoula, Crowley, Flanigan, Griffin, Harmon, Higgins, Ironside, Jones, McDonald, White—11.

Title agreed to and Resolution transmitted to Senate for concurrence.

H. J. R. No. 2, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, White, Working, Mr. Speaker—85.

Noes: Brooks—1.

Absent and not voting: Anderson (Oscar W.), Connolly, Flanigan, Griffin, Harmon, Higgins, Holt, Jones, Wheat—9.

Title agreed to and Resolution transmitted to Senate for concurrence.

H. J. M. No. 2, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, White, Working, Mr. Speaker—87.

Noes: None.

Absent and not voting: Belden, Connolly, Flanigan, Griffin, Harmon, Higgins, McQuarrie, Wheat—8.

Title agreed to and memorial transmitted to Senate for concurrence.

H. J. M. No. 4, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton,

Morris, Morrow, Murray, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Sektan, Shaw, Spain, Stimpert, Ward, Weil, White, Working, Mr. Speaker—83.

Noes: Higgins, Husser, Searles—3.

Absent and not voting: Belden, Brooks, Flanigan, Griffin, Harmon, Kemmis, McDonald, O'Brien, Wheat—9.

Title agreed to and memorial transmitted to Senate for concurrence.

H. B. No. 48, having been read three several times was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Ashby, Baldwin, Belden, Bent, Bernard, Booth, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Harbert, Hathaway, Hawks, Henry, Holt, Huffaker, Husser, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lewis, Lusk, McClory, McMillan, Mason, Middleton, Morris, Morrow, Murray, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Searles, Sektan, Shaw, Stimpert, Weil, White, Mr. Speaker—59.

Noes: Andrew, Arneson, Ball, Baxter, Blake, Blodgett, Brooks, Buell of Missoula, Buell of Gallatin, Clark, Eliel, Farmer, Grimes, Gullidge, Henderson, Higgins, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kemmis, Lemon, McMahon, McQuarrie, O'Brien, Rasmussen, Scott, Spain, Ward, Wheat, Working—32.

Absent and not voting: Flanigan, Griffin, Harmon, McDonald—4.

Title agreed to and Bill transmitted to Senate for concurrence.

Hurd from the Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report that House Bill No. 67, has on this day been correctly printed.

Report adopted and Bill placed on General Orders.

On motion of Belden, House adjourned until 11:00 o'clock A. M., Friday, January 26, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## TWENTY-SIXTH DAY

Friday, January 26, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll called. All members present.

Ironside from the Committee on Journal reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the Twenty-fifth day and find same to be correct. Report adopted.

### NOTICES OF BILLS.

By Connolly: "An Act to regulate and govern the sanitary conditions under which wall paper, or substitute wall covering shall be placed on the walls of rooms in tenement houses, or other houses owned or maintained for rent, and to make a violation of any of the provisions of this Act a misdemeanor."

By Huffaker: "An Act authorizing cities and towns to regulate motor vehicles and to prescribe penalties for violation of such regulations."

By Lewis: "An Act amending Section 8416 of the Revised Codes of Montana of 1907, prohibiting gambling games and providing a penalty for the violation thereof."

Committee on Fairs and Expositions, By Ashby: "An Act to amend Sections 2927, 2928, 2930, 2931 and 2932 of the Revised Codes of Montana, 1907, and Section 2929 of the Revised Codes of Montana, 1907, as amended by Section 3 of Chapter 30 of the Laws of the Twelfth Legislative Assembly of the State of Montana, relating to County fairs in counties of the State appointing a fair com-

mission by the County Commissioners, defining the duties and compensation of such fair commissioners, providing for a tax, the appropriating of money for the purchase, holding and improving of lands for the maintenance of a County fair, providing for the disbursement of such moneys, to provide for county exhibits at the State fair and making the County Treasurer ex-officio the Treasurer of such County Fair associations; repealing Sections 1 and 2 of Chapter 30 of the Twelfth Session Laws of Montana and repealing Chapter 124 of the Laws of the Thirteenth Legislative Assembly of the State of Montana."

By O'Brien: "An Act to provide for the payment of wages of employees and to provide penalties for the violations hereof."

By Husser: "An Act to amend Section 3618 of the Revised Codes of the State of Montana; providing for a marriage license fee of two (\$2.00) dollars to be paid into the State Board of Health Maintenance fund; and authorizing the Auditor to draw his warrant for claims against this fund."

By Husser: "An Act to create a child welfare division to be under the direct supervision of the State Board of Health; prescribing its duties and powers and providing for its maintenance."

#### REPORTS OF SELECT COMMITTEES.

Belden from the special committee appointed to investigate the case of Reporter Perkins, reported as follows:

Mr. Speaker: We, your special committee appointed to report to the House of Representatives concerning the action of Reporter Perkins, a reporter for the Helena Independent, a newspaper enjoying the privileges of the floor of the House, respectfully submit the following recommendation:

We recommend that Reporter Perkins be excluded from further privileges on the floor of the House of Representatives.

Motion of Belden, that report be adopted, lost by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Baldwin, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Cotter, Dodds, Eaton, Eliel, Fuller, Gullidge, Harbert, Harmon, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kemmis, Lanstrum, Lewis, Lusk, McClory, McMillan, McQuarrie, Middleton, Phelps, Rainey, Rasmussen, Scott, Working—43.

Noes: Andersen (Charles), Andrew, Ashby, Ball, Bent, Carl, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Duffy, Farmer, Fishbaugh, Gould, Grimes, Hathaway, Hawks, Hurd, Husser, Ironside, Jensen, Kehoe, Larse, McMahon, Mason, Morris, Morrow, Murray, O'Brien, Page, Prosser, Sand, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Mr. Speaker—45.

Absent and not voting: Blodgett, Flanigan, Griffin, Kelsey, Lemmon, McDonald, Quaintance—7.

#### REPORTS OF STANDING COMMITTEES.

Andrew from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 127, introduced by Buell of Missoula, entitled, "An Act to authorize and empower cities and towns to construct, maintain, establish and operate within their limits swimming pools, skating rinks and playgrounds, to defray the cost and expense thereof from their park funds, and to provide necessary rules and regulations for the establishment and use thereof," respectfully beg leave to report as follows: We recommend that the same do pass.

Report adopted and Bill referred to Printing Committee.

Andrew from the Committee on Affairs of Cities reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 128, introduced by Demel and Scott, entitled, "An Act to prohibit livestock from running at large in any city or within one mile thereof, and in any incorporated town or within half a mile thereof, and providing a penalty for the violation thereof," respectfully beg leave to report as follows: We recommend that same do pass.

Report adopted and Bill referred to Printing Committee.

Duffy from the Committee on Federal Relations reported as follows:



Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 5, introduced by Mrs. Hathaway, "Memorial to Congress to pass an amendment to the Federal Constitution and submit the same to the several states for ratification, prohibiting the manufacture and sale of intoxicating liquors for use as a beverage," respectfully beg leave to report as follows: That same do pass.

Report adopted and Bill referred to Printing Committee.

Hurd from the Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report that House Bills Nos. 103, 87, 42 and 70 have been returned, correctly printed.

Report adopted and Bills placed on General Orders.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 108 by Stimpert, a Bill for an Act entitled, "An Act prohibiting unfair competition or discrimination in buying, selling, production, manufacturing or distribution of any commodity or product in general use and providing a penalty for the infraction of the provisions thereof, and providing that complaints may be made to the Attorney General of any violations of this Act by any corporation, and requiring the Attorney General to forthwith investigate such complaint and to prosecute such corporation if the facts ascertained by him warrant such prosecution and providing for the annulment by the court of the charter of any corporation found guilty of unfair competition or discrimination," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 4, by Edwards, "A Bill for an Act requiring an oath to be taken by persons testifying before Legislative committees, and providing that false testimony given by such persons shall constitute perjury," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in."

Report adopted and Bill placed on General Orders.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 113, by Ward, a Bill for an Act entitled, "An Act to amend Section 6339, Code of Civil Procedure, Revised Codes of Montana, 1907, exempting from jury duty regularly licensed embalmers and undertakers," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 132, by Murray, a Bill for an Act entitled, "An Act to regulate the hours of continuous employment of firemen in cities of the first and second class," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be referred to the Committee on Labor." Report adopted.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 84, by Andersen a Bill for an Act entitled, "An Act to amend Chapter 110 of the Laws of the Twelfth Legislative Assembly of the State of Montana, defining itinerant vendors, to regulate the licensing of the same; to fix the amount of such licenses, to provide for penalties for violation of such regulation and for other purposes," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Searles from the Committee on House Employees reported as follows:

Mr. Speaker: We, your Committee on House Employees, beg leave to report that we have named the following employees: Sarah Toughill, clerk; Lois



Adams, clerk; F. H. Luddy, clerk; Miss Mitchell, clerk; F. X. Schneider, clerk; Ella Oppel, clerk; Farrar Kennett, clerk; Myrtle Dixon, clerk.

Report adopted by standing vote of 43 to 39.

Murray from the Committee on Labor reported as follows:

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 4, introduced by Murray, a Bill for an Act entitled, "An Act regulating and limiting the hours of employment for female employees and governing the conditions under which female employees shall work in certain industries and providing penalties for violation thereof," respectfully beg leave to report House Bill No. 4 back to the House with the recommendation that the same do pass.

Report adopted and Bill referred to Printing Committee.

Murray from the Committee on Labor reported as follows:

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 33, introduced by Farmer, a Bill for an Act entitled, "An Act to amend Sections 1643 and 1655, of the Revised Codes of 1907, as the same were amended by Chapter 30, Sections 5 and 13 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the inspection and operation of steam boilers within the State of Montana and including the examination and licensing of engineers thereof," respectfully beg leave to report House Bill No. 33 back to the House with the recommendation that Committee on Labor be relieved from further consideration thereof and refer same to Committee on State Boards and Officers. Report adopted.

Murray from the Committee on Labor, reported as follows:

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 29, introduced by Mason, a Bill for an Act entitled, "An Act to amend Section 1739, Revised Codes of Montana of 1907, relating to the hours of labor for municipalities, mines and smelters," respectfully beg leave to report same back to the House with the recommendation that it be amended as follows: By adding in line 9 after the word "coal" the words "and in all mills and factories in which sugar is manufactured," and as so amended, recommend that Bill do pass.

Report adopted and Bill referred to Engrossing Committee.

The following report was received from a majority of the Committee on Labor:

Mr. Speaker: We, a majority of the Labor Committee, having had under consideration House Bill No. 6, introduced by Page, a Bill for an Act entitled, "An Act to provide for the payment of wages of employees and to provide penalties for violations thereof," respectfully beg leave to report same back to the House with the recommendation that it do not pass.

(Signed) TIM CROWLEY,  
R. O. McMILLAN,  
W. W. SPAIN,  
J. R. MIDDLETON,  
W. B. JOHNSTON,  
J. J. CONNOLLY,  
N. H. FULLER,  
C. H. BURNWORTH,  
FRANK ELIEL,  
G. S. WHEAT.

Report not adopted.

The following report was received from a minority of the Committee on Labor:

Mr. Speaker: We, a minority of the Labor Committee, having had under consideration House Bill No. 6, introduced by Page, a Bill for an Act entitled, "An Act to provide for the payment of wages of employees and to provide penalties for violations thereof," respectfully beg leave to report same back to the House with the recommendation that it do pass.

(Signed) MURRAY,  
DEMEL,  
J. A. HAWKS.

Roll call demanded and minority report adopted by vote of 54 to 37.

## INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 134, introduced by Kemmis. A Bill for an Act entitled, "An Act to amend Section 507 of Chapter 76, Session Laws of 1913, defining the duties of school trustees. Read first and second time, and referred to Committee on Education.

H. B. No. 135, introduced by Kehoe. A Bill for an Act entitled, "An Act providing for the Commission Manager plan of government for cities and towns, providing for the election of officers therein, defining their duties and powers and providing their compensation." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 136, introduced by Murray: A Bill for an Act entitled, "An Act to amend Section 200 of Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, enumerating County Officers and fixing the compensation of such officers according to the classification of counties." Read first and second time and referred to Judiciary Committee.

H. B. No. 137, introduced by Working: A Bill for an Act entitled, "An Act to amend Sections 3465, 3466, 3471, 3472 and 3478 of the Revised Codes of 1907, of Montana, relating to the laying out, surveying, platting and recording of any city or town, or any addition to any city or town, or any tract of land within the limits of any city or town, or any townsite or any tract of land outside of the limits of any city or town sold in small tracts or acreage less than the United States legal subdivision, requiring sales to be made by reference to such plats and the numbers of such lots and blocks to facilitate the transfer or taxation of such property; and to prevent boundary disputes; providing for public parks within such platted and surveyed area; to promote and preserve the public welfare by prohibiting certain things hurtful to the comfort, safety and welfare of society by establishing such rules and regulations for the use, sale and management of property as may be conducive to public interest and providing penalties for the violation of such provisions." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 138, introduced by Searles. A Bill for an Act entitled, "An Act to appropriate money for the maintenance, improvement and operation of the Fish Hatcheries of the State of Montana and for the expense of the Montana Fish Commission, and purchase of equipment." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 139, introduced by Farmer: A Bill for an Act entitled, "An Act to amend Section 73 of Chapter 120, of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, 'An Act to regulate the operation of all coal mines in the State of Montana, to provide for their inspection and the qualifications of inspectors and certain other employees of coal mines and to codify all laws with reference to the operation of all coal mines in the State of Montana, repealing Section 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710 and 2023 of the Revised Codes of the State of Montana, and Chapter 64 and 65 of the Laws of 1910.'" Read first and second time and referred to Judiciary Committee.

H. B. No. 140, introduced by Cotter: A Bill for an Act entitled, "An Act creating the Montana State geological survey, providing for the issuance of pamphlets on the mineral resources of the State for the information of the general public, and appropriating money for the carrying out of the provisions of this Act." Read first and second time at length, and referred to Appropriations Committee.

H. B. No. 141, introduced by Andersen: A Bill for an Act entitled, "An Act authorizing the Board of Railroad Commissioners to appoint an attorney to act in that capacity for and under the direction of the Board of Railroad Commissioners and Public Service Commission of the State of Montana, and defining the duties and fixing the salary of such attorney." Read first and second time and referred to Judiciary Committee.

H. B. No. 142, introduced by Morrow: A Bill for an Act entitled, "An Act to amend Sections 9291, 9292 and 9294 of Chapter 2, Title IX, Penal Code, of the Revised Codes of the State of Montana, 1907, changing place of execution of

the death penalty from the county in which defendant was sentenced to the State penitentiary, and prescribing return on death warrant." Read first and second time and referred to Judiciary Committee.

H. B. No. 143, introduced by Bent: A Bill for an Act entitled, "An Act to amend Section 8346, Revised Codes of 1907, concerning the desertion or abandonment of children and prescribing penalties." Read first and second time and referred to Committee on Public Morals, Charities and Reforms.

H. B. No. 144, introduced by White: A Bill for an Act entitled, "An Act to create a tax and license commission and prescribing its powers and duties." Read first and second time and referred to Committee on Ways and Means.

### MOTIONS AND RESOLUTIONS.

On motion of McMahon, Mr. Speaker appointed the following committee to draw appropriate resolutions on the death of Representative Lemmon's mother: McMahon, Higgins, Murray.

### COMMUNICATIONS FROM THE GOVERNOR AND SENATE.

Executive Office, January 25, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise you that I have this day approved House Bill No. 5, "An Act relating to bridges within any city or town upon a highway crossing a natural stream separating one part from another part of any county in which such city or town is situated, and providing for the construction and maintenance of such bridges and their approaches."

S. V. STEWART, Governor.

The following communications were received from the Senate:

Senate Chamber, January 25, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Smith: "An Act relating to the powers and duties of justices of the peace, and fixing their compensation."

By Heren: "An Act to repeal Section 8836 of the Revised Codes of Montana of 1907, and designating the duties of owners of stallions."

By Gallwey: "An Act to repeal Section 9 of Chapter 73 of the Laws of the Thirteenth Legislative Assembly concerning the regulation of motor vehicles by local authorities."

By Gnose: "An Act to establish and create a general fish and game law for the State of Montana; to codify and arrange all of said laws now in force relating to fish and game which are not repealed or amended hereby and re-enacting such laws as are not in conflict herewith, to amend an Act approved March 9th, 1909, relating to hunting and fishing licenses; and repealing Chapter 81, of the Laws of 1909, relating to the killing of certain animals; to amend an Act approved February 25th, 1915, relating to licenses and the time of the expiration thereof; and also to amend an Act approved March 13th, 1913, relating to game fish, known as Chapter 79 of the Laws of 1913; to amend an Act approved March 15th, 1913, authorizing the sale of game and game birds, known as Chapter 100, of the Laws of 1913; and also to amend an Act approved March 3rd, 1915, concerning fish nets, known as Chapter 60 of the Laws of 1915; to amend an Act approved March 5th, 1915, known as Chapter 76 of the Laws of 1915, relating to Elk, Rocky Mountain Sheep and Goats; to amend an Act approved March 8th, 1915, and known as Chapter 107 of the Laws of 1915, relating to fish and game; to amend a law approved March 8th, 1915, known as Chapter 98 of the Laws of 1915, relating to a closed season for all game; to amend a law approved March 8th, 1915, known as Chapter 109 of the Laws of 1915, relating to the use of explosives or poisons for the purpose of catching fish; to amend an Act approved March 9th, 1915, known as Chapter 138 of the Laws of 1915, relating to the payment of costs in the prosecution of criminal cases under the game and fish laws; and also for the purpose of amending and re-enacting so much of the game and fish laws found in the Revised Codes of Montana, 1907, as may be found in Sections 8786 and 8789 inclusive; to enact a law relating to the trapping of beaver; relating to the appointment of deputy game wardens under civil service rules, relating



to the installation of fish wheels in ditches at the expense of the State, relating to the killing and trapping of bear, and to provide closed season therefor, to establish a closed season on grouse, prairie chicken, sage hens, fool hens, pheasants or partridge."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 25, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion duly adopted, Senate Bill No. 39, entitled, "An Act to make lawful certain agreements between employers and laborers and to limit the issuance of injunctions in certain cases," was this day referred to Committee on Capital and Labor.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 25, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 7, introduced by Lane, entitled, "An Act dividing the State into two Congressional districts and amending Section 47, Montana Revised Codes, 1907," was this day read a third time and passed, title agreed to and is herewith transmitted to the House for concurrence.

Also Senate Bill No. 24, introduced by Roberts, entitled, "An Act to permit commercial banks, incorporated, organized and existing under the laws of the State of Montana, to establish branches," was this day read a third time, and passed, title agreed to, and is herewith transmitted to the House for concurrence.

Also Senate Bill No. 30, introduced by Jones, entitled, "An Act to amend Section 9029 of the Revised Codes of Montana, 1907, relating to the time within which an indictment for crime may be found or an information or complaint filed; and providing for excepting time during which the defendant is outside the State," was this day read a third time and passed, title agreed to, and is herewith transmitted to the House for concurrence.

Also Senate Bill No. 36, introduced by Burlingame, entitled, "An Act to amend Chapter Two, Title Two, Part Two, of the Code of Civil Procedure of Montana; relating to adverse possession of real estate," was this day read a third time and passed, title agreed to and is herewith transmitted to the House for concurrence.

Also Senate Bill No. 38, introduced by O'Shea, entitled, "An Act to authorize the investment of the permanent funds of the State in Federal Farm Loan Bonds and to amend the first Section of the initiated law passed by the people at the General Election held November, 1914, by adding another section thereto authorizing the State Board of Land Commissioners to make such investment," was this day read a third time, passed, title agreed to and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 25, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate today signed in open session, House Bill No. 5.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 25, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 7, introduced by Brooks, was this day read and adopted, title agreed to and is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 25, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 4, introduced by Harbert, was this day introduced, read first and second time, and returned to the Committee on Irrigation and Water Rights.



Also House Bill No. 10, introduced by Mason, was this day introduced, read first and second times, and referred to the Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 25, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 43, having been considered in Committee of the Whole this day and reported out with the recommendation that it be not concurred in is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times and referred as follows:

S. B. No. 75—Annin: "An Act relating to intoxicating liquor, prohibiting the soliciting and taking of orders therefor, the advertisement thereof, declaring certain places to be nuisances and providing for their abatement, regulating the transportation thereof, and providing for the search and seizure and destruction thereof, prescribing the powers and duties of certain officers, providing for the removal of certain officers for failure, neglect or refusal to perform their duties, prescribing the forms of procedure and the rules of evidence in actions and proceedings under the laws relating to intoxicating liquors and fixing the penalties for violations thereof." Referred to Committee on Public Morals.

S. B. No. 76—Oliver: "An Act to create the county of Sykes; designate its boundaries, provide for its organization and government and to change the boundaries of Fallon county to conform thereto." Referred to Committee on Counties and Towns.

S. B. No. 77—Healey: "An Act for the submission to the qualified electors of the State of Montana, of an amendment to Section 6, Article 13, of the Constitution of the State of Montana, relating to the indebtedness of cities and towns." Referred to Committee on Constitutional Amendments.

S. B. No. 78—Haley: "An Act to fix, define and determine the boundaries of Prairie County, Montana." Referred to Committee on Counties and Towns.

S. B. No. 79—Stevens: "An Act to amend Section 3 of Chapter 52 of the Laws of 1913, relating to the establishment of the Public Service Commission of Montana, and prescribing its powers and duties, with reference to the jurisdiction of the said Commission over certain public utilities." Referred to Committee on Judiciary.

S. B. No. 80—Haley: "An Act to provide for the disposal and disposition of all monies in the Public School Teachers Retirement Salary Fund and the Public School Teachers Permanent Fund." Referred to Committee on Education.

S. B. No. 81—Edwards: "An Act to amend Section 4416 of the Revised Codes of the State of Montana, relating to the annual statement." Referred to Committee on Judiciary.

S. B. No. 82—Oliver: "An Act to amend Section 6, Article 209, Chapter XI of the Revised Codes of 1907, relating to reports of State Examiners." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 25, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day in Committee of the Whole, to whom was referred House Bill No. 31, recommended that the same be amended by adding a section to be numbered Section 3, to read as follows: "This Act shall be in full force and effect from and after its passage and approval," and the Bill as so amended, recommend that the Bill be concurred in

Also House Bill No. 43, recommended that the same be not concurred in.

Also House Bill No. 49, recommended that Section 1 be amended by inserting the word "Hospitals" in lines 4-9-12 after the words "Boarding House." and

amend Section 3 in line 18 by inserting after the word "effect" the words "60 days," and the Bill as amended be concurred in.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 25, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committees with recommendations:

\* Committee on Public Morals reported Senate Bill No. 70, introduced by Whiteside, being "An Act to define the status of children born out of wedlock; making the birth of any such child a legal bond of wedlock between unmarried parents of such child; fixing the legal status and obligations between father and child; providing the method by which paternity may be established and fixing penalties for violations of this Act," with the recommendation that it be printed.

Committee on Public Lands reported Senate Bill No. 55, introduced by Burla, being "An Act to amend Section 26 and Section 29 of Chapter 147 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, relating to the classification and sale of Public Lands," with the recommendation that the same do pass.

Committee on Counties and Towns reported Senate Bill No. 42, entitled, "An Act establishing and defining definitely the boundary line between Sanders and Flathead counties, Montana," with the recommendation that the Bill do pass.

Committee on Counties and Towns reported Senate Bill No. 65, entitled, "An Act to empower cities of the first, second and third class to provide band concerts for the entertainment of their people during the months of June, July, August and September of each year," with the recommendation that the Bill do pass.

Committee on Public Lands reported Senate Bill No. 46, introduced by Brower, entitled, "An Act relating to the sale and assignment of mortgages on farm lands, together with the evidences of indebtedness thereby in which monies belonging to the Permanent Common school and other Permanent State, Educational, Charitable and Penal Institutions shall be invested by the State Board of Land Commissioners," with the recommendation that the Bill be amended as follows: Amend by striking out in Section 1 the words "either or private" and as amended, recommended that the Bill do pass.

Committee on Agriculture and Manufacture reported Senate Bill No. 48, introduced by Stevens, entitled "An Act to amend Sections 24, 25, 26, 27, 28, 30, 31, 33, 34, 39, 40, 42, 45, and to re-enact Sections 23, 29, 32, 35, 36, 37, 38, 41, 43, 44 and to repeal Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 46 of Chapter 93 of the Laws, Resolutions and Memorials of the State of Montana, passed by the Fourteenth Session of the Legislative Assembly, and to add a new Section providing for the continuation of all bonds, licenses, and receipts given or issued pursuant to the provisions of said Chapter," with the recommendation that the Bill be amended as follows: Amend said Bill by striking out the words "State Auditor" wherever they appear in the Bill and insert in lieu thereof the words "Commissioner of Agriculture and Publicity," and that the Bill as so amended do pass.

Committee on Sanitary Affairs reported Senate Bill No. 23, introduced by Annin, entitled, "An Act to amend Section 12 of Chapter 134 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, being 'An Act to regulate the practice of pharmacy and regulating the manufacture and sale of drugs and medicines in the State of Montana, and providing penalties for the violation of this Act,' with the recommendation that the Bill be amended as follows: Amend by striking out last paragraph in Section 12 and inserting in lieu thereof the following: "Provided that nothing in this Act shall interfere with the exclusive wholesale business of any dealers, nor with any licensed physician in his regular practice, nor with the sale of Paris Green, Arsenate of Lead, Blue Stone and Solution of Formaldehyde U. S.,' and recommend same for passage as amended.

Committee on Judiciary reported Senate Bill No. 60, introduced by Burla, entitled, "An Act to amend Section 1 of Chapter 14 of the Laws of the Fourteenth Legislative Assembly, entitled, 'An Act providing for indeterminate sentences of

persons convicted of crime and for the parole of such persons and prescribing the duties of officials in connection therewith," with the recommendation that the Bill do pass.

Committee on Engrossed Bills reported Senate Bills Nos. 7, 24 and 38 correctly engrossed.

Committee on Printing reported Senate Bill No. 3 correctly printed.

Committee on Judiciary reported Senate Bill No. 31, introduced by Oliver, entitled, "An Act in relation to the release of record of oil, gas and other mineral leases, providing remedies in connection therewith," with the recommendation that the Bill be amended as follows:

Amend Section 3, in the sentence "such demand may be either written or oral," by striking out the word "may" and inserting in lieu thereof the word "must" and striking out the word "either" and the words "or oral," and recommend that the Bill as so amended do pass.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 25, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following communications regarding Granville Stuart, were this day read in the Senate and a motion made that same be immediately transmitted to the House for reading. Same are transmitted herewith.

Respectfully,

J. F. CONE, Secretary of the Senate.

Communications read and referred to Committee on Appropriations.

On motion of Higgins, House recessed at 12:30 P. M. until 2:00 P. M.

#### AFTERNOON SESSION.

House reassembled at 2:00 P. M.

Mr. Speaker in the Chair.

Roll called. Quorum present.

On motion of Murray, House reverted to Fifth Order of Business.

#### INTRODUCTION AND SECOND READING OF BILLS.

S. B. No. 7, read first and second time and referred to Judiciary Committee.

S. B. No. 24, read first and second time and referred to Committee on Banks and Banking.

S. B. No. 30, read first and second time and referred to Committee on Judiciary.

S. B. No. 36, read first and second time and referred to Committee on Judiciary.

S. B. No. 38, read first and second time and referred to Committee on State Boards.

H. B. No. 145, introduced by Duffy: A Bill for an Act entitled, "An Act to provide for the placing of dimmers on lights of all electric or motor driven vehicles and motorcycles." Read first and second time, and referred to Highways Committee.

H. B. No. 146, introduced by Buell of Gallatin: A Bill for an Act entitled, "An Act to amend Section 3114 of the Revised Statutes of 1907, and to allow Justices of the Peace who are admitted to practice in Courts of Record to practice their profession in said Courts of Record." Read first and second time and referred to Judiciary Committee.

On motion of Holt, House reverted to Sixth Order of Business.

#### MOTIONS AND RESOLUTIONS.

Holt: I move that House Bill No. 97, introduced by myself, which has been reported out of the Judiciary Committee, be re-referred to the Judiciary Committee for amendment to the title. Motion carried.

Blake presented a communication from the Rotary Club of Anaconda, protesting against legislation increasing taxation on mines and mineral products.

On motion of Blake, communication was referred to the Special Tax Committee.

On motion of McMahon, House reverted to Second Order of Business.



## NOTICES OF BILLS.

By White: "An Act to amend Section 4083, Chapter 3 of the Revised Codes of the State of Montana of 1907, defining the term 'Farm Properties'."

By Kemmis: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 6 of Article XIII of the Constitution of the State of Montana, relating to indebtedness of Cities, Towns, Townships and School Districts."

By Hurd: "An Act to amend Section 1 of Chapter 26 of the Acts of the Thirteenth Legislative Assembly, entitled 'An Act relating to the erection of platforms by railroads,' approved February 15th, 1913."

By Murray: "An Act providing regulations regarding railroads operating in the State of Montana, to promote the safety of employees and of the traveling public upon railroads, by prohibiting persons, firms and corporations operating railroads in this State and certain of their officers and employees from requiring or permitting certain employees to receive, deliver or transmit by means of any telephone or telegraph instrument, orders for the movement of trains or cars except in certain cases in this Act provided."

By McMahon: "An Act to appropriate money for the construction of a building to be used for Educational Exhibits at the State Fair and to provide for a permanent plan for the development of said Fair."

On motion of Mason, House resolved itself into a Committee of the Whole for the consideration of General Orders.

## GENERAL ORDERS.

Blake in the chair.

House resumed.

Mr. Speaker in the chair.

Blake from the Committee of the Whole reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under consideration H. B. No. 3, introduced by Bernard, a Bill for an Act entitled, "An Act to regulate the driving, storage and handling of saw logs and other timber products on the small navigable streams of this State," beg to report the same back to the House with the recommendation that it be re-referred to the Committee on Waterways and Navigation.

Also, having had under consideration H. B. No. 46, introduced by Murray, a Bill for an Act entitled, "An Act to provide for financial aid in the care of dependent children in their own homes under the direct control of the mothers of such children, whose fathers are dead or inmates of some Montana State institution, or who are physically or mentally unable to work, or who have for a period of two years or more failed to provide for said children, and whose mothers are wholly dependent upon their labor and support," beg to report the same back to the House with the recommendation that it be re-referred to General Orders.

Also, having had under consideration H. B. No. 62, introduced by Murray, a Bill for an Act entitled, "An Act to amend Section 3246 of the Revised Codes of Montana of 1907, relating to salary of Clerk," beg to report the same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 80, introduced by Holt, a Bill for an Act entitled, "An Act to amend and re-enact Section 7166 of the Revised Codes and providing for the assessment of an attorney's fee in actions for the foreclosure of liens of mechanics and others upon real property," beg to report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 68, introduced by Ashby, a Bill for an Act entitled, "An Act to amend Sections 8, 10, 22, 53, 54, 55, 56, 57 and 61 of Chapter 147 of the Montana Session Laws of 1909. An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof and the management, protection and disposition of the timber growing thereon and the coal, oil and minerals therein; providing for the management and control of the funds realized from the sale and rental of state lands and the products thereof; naming and providing for certain officers subordinate to the State Board of Land Commissioners and prescribing their duties and compensation; providing for the



acquisition of water rights for use upon state lands; defining and providing for the punishment of certain offenses for violating the provisions of this Act," beg to report the same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 74, introduced by Working, a Bill for an Act entitled, "An Act to authorize and empower any city or town organized under the laws of Montana to receive and take by gift, donation, grant, devise or bequest, any property, real, personal or mixed, or any improved or unimproved park or playground, or any water or water right, water reservoir or water shed, or any timber land or reserve, or any fish or game reserve, in any part of the State of Montana, and to own, hold, work and improve the same; and to authorize any person, company, copartnership or corporation to make gifts, donations, grants, devises or bequests of any kind of property to any such city or town," beg to report the same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 58, introduced by Baxter, a Bill for an Act entitled, "An Act to amend Sections XXIV and XXV of Chapter 147 of the Laws of the Eleventh Legislative Assembly, 1909, entitled, 'An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof and the management, protection and disposition of the timber growing thereon and the coal, oil and minerals therein, providing for the management and control of the funds realized from the sale and rental of state lands and the products thereof; naming and providing for certain officers subordinate to the State Board of Land Commissioners and prescribing their duties and compensation; providing for the acquisition of water rights for use upon state lands; defining and providing for the punishment of certain offenses for violating the provisions of this Act,'" beg leave to report the same back to the House with the recommendation that it do pass.

Also, having had under consideration H. J. M. No. 3, introduced by Harbert, "Petition to Congress for Biological Survey of Flathead, Whitefish and Swan Lakes," beg to report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 67, introduced by Wheat, a Bill for an Act entitled, "An Act to regulate the giving or furnishing of bonuses or premiums, such as the giving or furnishing of stamps, coupons, tickets, certificates, cards, gifts or premiums, such as crockery, chinaware, aluminumware, tinware, or anything else that may be included with or contained in packages of any kind of merchandise, of any description, or other similar device for, or with or in connection with the sale of goods, wares or merchandise, and providing a penalty for the violation thereof," report same back to the House with the recommendation that it do pass.

Report adopted and House Bills Nos. 62, 80, 68, 74, 58 and 67 and H. J. M. No. 3, referred to Engrossing Committee.

McMahon: I move that the House do now adjourn until 11:00 A. M., Monday, January 29, 1917.

On substitute motion of Anderson, House adjourned until 2:00 o'clock P. M., Monday, January 29, 1917.

J. F. O'CONNOR, Speaker.  
C. H. TREACY, Chief Clerk.

## TWENTY-NINTH DAY

Monday, January 29, 1917.

House met at 2:00 o'clock P. M. pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll called. All members present.

Blodgett from the Committee on Journal reported as follows:

Mr. Speaker: Your Journal Committee begs to report that they have exam-

ined the Journal of the Twenty-sixth day and find the same to be correct. Report adopted.

### COMMUNICATIONS AND PETITIONS.

A resolution was received from the Council of the City of Helena, petitioning the Montana Legislative Assembly to amend the statute relative to the public service commission's attempted jurisdiction over municipally owned utilities.

Resolution referred to Committee on Affairs of Cities.

A communication was received from Mrs. T. C. Power, President of the Ladies' Auxiliary of the House of the Good Shepherd, inviting the members of the House and their wives to attend an "At Home" Tuesday, January 30, 1917.

A communication was received from Charles G. Edwin, vice president of the American Gem Mining Syndicate (Basin Mining Company), of St. Louis, Missouri, protesting against the proposed special tax on the mining industry in Montana.

### NOTICES OF BILLS.

By Griffin: "An Act to amend Section 1564, the Revised Codes of 1907, as the same appears after amendment by Chapter 66 of the Session Laws of the Twelfth Legislative Assembly, relating to the pollution of water supply."

By Shaw: "An Act to amend Section 1808 of the Revised Codes of Montana, 1907, relating to the inspection of horses when moved from one county to another within the State."

By Harmon: "An Act to amend Sections 1803 and 1805 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to contracts for supplying basal and supplementary text-books."

By Harmon: "An Act for the purpose of commemorating the exploration of the Lewis and Clark Expedition and to aid in the erection of heroic bronze statues of Lewis and Clark at the Great Falls and at the Three Forks of the Missouri River, providing for the creation of the Lewis and Clark Memorial Commission, and making appropriation therefor."

By Bent and Phelps: "An Act to prohibit the sale of intoxicating liquors in territory not embraced within the limits of incorporated cities or towns, providing for the enforcement thereof, prohibiting the issuance of licenses therefor and prescribing penalties for its violation."

By Baxter: "An Act to amend Section 50 of Chapter 89, Session Laws of 1915, being an Act entitled 'An Act regulating the business of banking, providing for the creation and regulation of banking corporations, creating the Department of Banking and prescribing the duties and fixing the salaries of its officers and employees, and repealing Title 2, Part 4 of Division I of the Civil Code of Montana entitled "Banks and Banking Corporations," being the provisions of Sections 3909 to 4015, both numbers inclusive, Revised Codes of Montana, 1907, and all Acts amendatory thereof."

By Page: "An Act to amend Sections One and Four, Chapter II, of Chapter 141 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, 'An Act to amend Chapter 72 of the Session Laws of 1913, the same being known as the General Highway Laws and relating to the classification and permanent improvement of public highways'."

By Page: "An Act to amend Section I of Chapter 45 of the Session Laws of 1915, being an Act relating to the maintenance of County Free Libraries."

By Higgins: "An Act relating to the practice of pharmacy in the State of Montana and authorizing the registration as assistant registered pharmacists by the State Board of Pharmacy of persons who present diplomas from the School of Pharmacy of the University of Montana."

By Carl: "An Act providing for the levy of school district taxes in excess of ten mills, when authorized by vote of the qualified electors of such district, who are tax paying freeholders therein."

By Deibel: "An Act to amend Section 9812 of the Revised Codes of 1907, of the State of Montana, relating to aiding or abetting or concealing or harboring escapes from the Montana State Industrial School."

By Deibel: "An Act to amend Section 9810 of the Revised Codes of 1907 of the State of Montana, relating to release, parole or pardon of the inmates of the Montana State Industrial School."

By Farmer: "An Act to amend Section 8293 of the Revised Codes of the State of Montana of 1907, relating to the penalty for murder."

### REPORTS OF SELECT COMMITTEES.

Mr. Speaker: We, your select Committee appointed to draft appropriate resolutions of condolence, beg leave to report the following:

#### RESOLUTION.

WHEREAS, The House of Representatives of the Fifteenth Legislative Assembly of the State of Montana has learned with profound sorrow of the death of Mrs. Elizabeth Lawrence Lemmon, of Honeybrook, Pennsylvania, the mother of the Honorable C. A. Lemmon, a member of this House, from the County of Deer Lodge;

THEREFORE, BE IT RESOLVED, That this House does hereby express its heartfelt sympathy with the Honorable C. A. Lemmon and the members of his family on account of their bereavement; and

FURTHER, That the Chief Clerk is hereby instructed to transmit a copy of this Resolution to the family of the member, and also to spread the same upon the Journal of the House.

Respectfully submitted,

(Signed) W. J. McMAHON,  
FRANK C. MURRAY,  
RONALD HIGGINS.

Report adopted.

Mr. Speaker: We, your Committee on Tax Investigation, beg leave to report as follows:

In view of the statement made in the public press to the effect that the committees of the Senate and House on Tax Investigation had agreed upon the endorsement of a certain Bill, and had also determined that no special tax should be levied on mining corporations or public utilities, the members of these committees consider it necessary to publicly repudiate all such statements.

No individual member of either committee has been authorized to speak for the committees and no conclusion has been officially reached on any of the important subjects covered by our investigations.

We further consider the statement which appears in the Helena Independent of this morning as misleading to the public in that it apparently ignores entirely the question of whether or not the present relative taxation of property and interests within the State is now just and uniform.

Respectfully submitted,

M. S. GOULD,  
C. A. RASMUSSEN,  
O. W. BELDEN,  
W. J. McMAHON,  
W. W. SPAIN.

Members of Tax Investigating Committee.

### REPORTS OF STANDING COMMITTEES.

Larse from the Committee on Railroads and Transportation reported as follows:

Mr. Speaker: We, Your Committee on Railroads and Transportation, after due consideration of Senate Bill No. 22 "An Act authorizing and directing the Board of Railroad Commissioners of the State of Montana, to establish and fix the rate of one cent per mile for the railway fare to be charged for the transporting prisoners regularly sentenced to the State Prison in the State of Montana, to and from said State Prison to any point within the State of Montana, for the purpose of conveying such prisoners to such point or from such points to be employed on public roads or other public work," recommend that it be concurred in. Report adopted.

Hurd from the Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report that



on January 27, 1917, House Bills Nos. ninety-eight (98), one hundred (100), seventy-one (71), and seventy-two (72) were received correctly printed.

Report adopted and Bills placed on General Orders.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 79, by Burnworth, a Bill for an Act entitled, "An Act to amend Section 3855, Laws of 1907, so that certain assignments of stock certificates shall be considered prima facie evidence of fraud, when writs of attachment or writs of execution are levied on said stock," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 133, by Farmer, a Bill for an Act entitled, "An Act to amend Section 3 of Chapter 73 of the Session Laws of the State of Montana, and fixing the fees to be paid by incorporated cities and towns by school districts of the first and second class into the fund known in the law as the State Examiners Fund," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 23, by Cotter, a Bill for an Act entitled, "An Act to prohibit gambling on games played upon pool and billiard tables, to punish those who participate therein as well as those who conduct or carry on such games, and providing for early closing of all pool halls, billiard halls, bowling alleys and other places where pool or billiards are played," respectfully beg leave to report as follows: That, as amended, it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Engrossing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 30, by Jones, a Bill for an Act entitled, "An Act to amend Section 9029 of the Revised Codes of Montana, 1907, relating to the time within which an indictment for crime may be found or an information or complaint filed; and providing for excepting time during which the defendant is outside the State," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in.

Report adopted, and Bill placed on General Orders.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 36, by Burlingame, a Bill for an Act entitled, "An Act to amend Chapter 2, Title 2, Part 2 of the Code of Civil Procedure of Montana, relating to adverse possession of real estate," beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 142 by Morrow, a Bill for an Act entitled, "An Act to amend Sections 9391, 9393 and 9394 of Chapter 2, Title IX, Penal Code, of the Revised Codes of the State of Montana, 1907, changing place of execution of the death penalty from the county in which defendant was sentenced to the State Penitentiary, and prescribing return on death warrant," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 63, by Hathaway, a Bill for an Act entitled, "An Act making it the duty of sheriffs, mayors and others to employ matrons or female attend-



ants for female prisoners, providing compensation and fixing penalties," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 146, by Buell of Gallatin, a Bill for an Act entitled, "An Act to amend Section 3114 of the Revised Statutes of 1907, and to allow Justices of the Peace who are admitted to practice in the Courts of Record, to practice their profession in said Courts of Record," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason from the Committee on Judiciary reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 129 by Hawks, a Bill for an Act entitled, "An Act for the submission to the qualified electors of the State of Montana for an amendment to Section 6 of Article XVI of the Constitution of the State of Montana relating to municipal corporations and officers," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 74, 80, 67, 68, 62, 58 and House Joint Memorial No. 3, beg leave to report same back as correctly engrossed.

Report adopted and Bills and Memorial placed on Calendar for Third Reading.

#### INTRODUCTION AND SECOND READING OF BILLS AND MEMORIALS.

H. B. No. 147, introduced by McMahon: A Bill for an Act entitled, "An Act to appropriate money for the construction of a building to be used for women and educational exhibits at the State Fair and to provide for permanent plan for the development of said Fair." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 148, introduced by Kemmis: A Bill for an Act entitled, "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section Six of Article XIII of the Constitution of the State of Montana relating to indebtedness of cities, towns, townships and school districts." Read first and second time and referred to Judiciary Committee.

H. B. No. 149, introduced by Baldwin: "A Bill for an Act entitled, "An Act to amend Chapter 17 of the Revised Codes of Montana, 1907, relating to toll for grinding grain; amending Sections 2092, 2093 and 2094 of the Revised Codes of Montana, 1907, relating to the duties of persons engaged in operating flouring mills, conferring upon the Public Service Commission certain powers and duties, and providing penalties for the violation of the provisions hereof." Read first and second time and referred to Committee on Agriculture.

H. B. No. 150, introduced by Griffin: "A Bill for an Act entitled, "An Act to regulate the manner of sales of real estate under a power of sale in mortgages providing for redemption therefrom and providing a method for the ascertainment of attorney fees when property is sold under mortgage by virtue of a power of sale therein contained, and to repeal all Acts and parts of Acts in conflict herewith." Read first and second time and referred to Judiciary Committee.

H. B. No. 151, introduced by O'Brien: A Bill for an Act entitled, "An Act to provide for the payment of wages of employees and to provide penalties for violations hereof." Read first and second time and referred to Judiciary Committee.

H. B. No. 152, introduced by Ward: A Bill for an Act entitled, "An Act to amend Section 3342 of the Revised Codes of 1907, as amended by Chapter 103 of the Session Laws of 1911, relating to the amount of taxes to be assessed and levied by municipalities for general municipal and administrative purposes, and for the purpose of maintaining public parks." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 153, introduced by Huffaker: A Bill for an Act entitled, "An

Act authorizing cities and towns to regulate motor vehicles and to prescribe penalties for violation of such regulation." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 154, introduced by White: A Bill for an Act entitled, "An Act to provide for party nominations by direct vote; to establish a system of voting by mail at such primary elections; to provide a method for the counting and canvassing of such vote; providing punishment for violation hereof, and repealing all Acts and parts of Acts in conflict herewith." Read first and second time and referred to Special Committee on Primary Law.

H. B. No. 155, introduced by White, Sektnan, Holt and Bernard: A Bill for an Act entitled, "An Act to create herd districts and prevent live stock running at large in established herd districts and to provide for the fixing and collection of damages from stock trespassing within the boundaries of such districts and repealing all Acts and parts of Acts in conflict herewith." Read first and second time and referred to Committee on Agriculture.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, January 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committees with recommendations:

Committee on Insurance, minority, reported Senate Bill No. 5, entitled, "An Act to provide for the State Insurance of Public Buildings and contents; to provide for the valuation thereof; to provide for the duties of public officers in connection therewith; to provide for levying of assessment premiums, and for the payment of losses; to prevent any other manner of insuring public property; and to provide penalties for the violation of this Act," with the recommendation that the Bill do pass. Report adopted.

Committee on Federal Relations reported Senate Bill No. 50, introduced by Morris, entitled "An Act to cede jurisdiction to the United States over that part of Yellowstone National Park in the State of Montana, and for other purposes," with the recommendation that it do pass. Report adopted.

Committee on Agriculture reported Senate Bill No. 59, introduced by Whiteside, entitled, "An Act to encourage the construction of public warehouses and elevators for the storage and handling of grain and other food products; to provide for the issuance of bonds for said purpose under State supervision; to create a State Warehouse Commission and defining powers and duties of said commission; to create a State Grain Grading Commission; and defining its powers and duties and appropriating money to carry out the provisions of this Act," with the recommendation that the Bill do pass. Report adopted.

Committee on Judicial Districts reported Senate Bill No. 67, introduced by the Judiciary Committee, entitled, "An Act to provide what district judges shall preside in counties having no resident district judge," with the recommendation that the same be amended as follows:

Amend by striking out all of Section 1 thereof and inserting in lieu thereof the following:

"Section 1. In any judicial district having three district judges, the district court in any county which is within such district and which has no resident district judge, shall be presided over by the judge, or one of the judges, residing in the nearest and most accessible county within said district." And that the Bill as so amended do pass.

Committee on Printing reported Senate Bill No. 11, correctly printed. Report adopted.

Committee on Agriculture reported Senate Joint Resolution No. 1, introduced by Whiteside, with the recommendation that the Bill be amended as follows:

Amend by striking out the words "at a profit over the amount paid for said securities" in the last paragraph, and insert in lieu thereof the following "at par with accrued interest," and that the Bill as so amended do pass. Report adopted.

Committee on Engrossed Bills reported Senate Bill No. 8 entitled, "An Act to amend Section 10 of Chapter 122 of the Session Laws of the Fourteenth Legis-

lative Assembly, relating to the registration of electors," as correctly engrossed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices were this day given:

By Clay: "An Act to amend Section 3618 of the Revised Codes of the State of Montana; providing for a marriage license fee of two (\$2.00) dollars to be paid into the State Board of Health maintenance fund, and authorizing the auditor to draw his warrant for claims against this fund."

By Clay: "An Act to create a child welfare division to be under the direct supervision of the State Board of Health; prescribing its duties and powers and providing for its maintenance."

By McCone: "An Act providing for the safe investment of the State permanent common school funds, and all other permanent state educational, charitable and penal institution funds in the securities herein designated; for the prompt collection of interest thereon; providing for a method of procedure in making said investments to guard and protect such funds; and prescribing the duties and obligations of the various officers of the State in making said investments, and repealing that certain law entitled 'A Bill to propose by Initiative petition a law, providing for the safe investment of the State permanent common school funds, and all other State educational, charitable and penal institution funds in the securities herein designated, for the prompt collection of the interest thereon, providing a method of procedure in making said investments to guard and protect such funds and prescribing the duties and obligations of the various officers of the State and the several counties to whom such funds are entrusted,' initiated by petition and adopted in accordance with the provisions of Section I of Article V of the Constitution of the State of Montana by the electors of the State of Montana at the general election held in November, 1914."

By Healy: "An Act to dissolve corporations that fail or neglect to make statements required by law and to dissolve those that do not pay certain taxes; to make it the duty of the County Clerks to report such corporations to the Secretary of State, to provide for Clerks of Courts to make reports of those that are dissolved by courts, and to fix duty of Secretary of State and Governor relating to dissolution and reinstatement of said corporation; and fixing penalties for those who attempt to do business after said corporations have been dissolved."

By Meadors: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 9 of Article 12 of the Constitution of the State of Montana as amended by the people of the State of Montana at the general election held in November, 1910, relating to revenue and taxation."

By Jones: "An Act to amend Section 3 of Chapter 96 of the Fourteenth Sessions Laws, defining public corporations."

By Meadors: "An Act permitting additional assessments by Water Users Associations in cases where the benefits of previous assessments have not accrued to the land assessed, and providing for discharge of such previous assessments, and that all such additional assessments shall be equitable."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times, and referred as follows:

S. B. No. 83, Edwards: "An Act to provide for the preservations, collections and publications of historical facts of the early settlement of the State of Montana." Referred to Committee on Education.

S. B. No. 84, Whiteside: "An Act to provide a maximum rate of interest on loans of money or evidences of debt; providing a penalty for violations thereof, and repealing Chapter 36 of the Laws of the Thirteenth Legislative Assembly of 1913, and repealing Section 5212 of the Revised Codes of Montana of 1907." Referred to Committee on Banks and Banking.



S. B. No. 85, Smith: "An Act relating to the powers and duties of Justices of the Peace, and fixing their compensation." Referred to Committee on Judiciary.

S. B. No. 86, Jones: "An Act to amend Sections 9383, 9391, 9393 and 9394 of the Revised Codes of the State of Montana, 1907, relating to the place where and the persons who shall be present at the execution of a judgment imposing a death penalty and designating the person who shall execute the same and providing for the duties and compensation of certain officers in connection therewith." Referred to Committee on Judiciary.

S. B. No. 87, Heren: "An Act to repeal Section 8836 of the Revised Codes of Montana of 1907 and designating the duties of owners of stallions." Referred to Committee on Stock Growing.

S. B. No. 88, Gallwey: "An Act to repeal Section 9 of Chapter 75 of the Laws of the Thirteenth Legislative Assembly, concerning the regulation of motor vehicles by local authorities." Referred to Committee on Counties and Towns.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion adopted House Bill No. 10, was this day re-referred to Committee on Banks and Banking.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 48, introduced by Stimpert, entitled: "An Act providing for the creation of Commissioner Districts within Counties and the election of County Commissioners from such districts of the several counties in the State of Montana, and repealing all Acts and parts of Acts in conflict with the provisions of this Act," was this day introduced, read first and second time, and referred to the Committee on the Judiciary.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Memorial No. 4, introduced by Committee on Public Morals, Charities and Reforms, relating to polygamy, was this day introduced, read first and second times, and referred to the Committee on Constitutional amendments.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Memorial No. 2, introduced by Kemmis, "A Resolution memorializing Congress to relinquish and cease to exercise its jurisdiction over the Missouri and Yellowstone Rivers in the State of Montana," was this day introduced, read first and second times, and referred to the Committee on Federal Relations.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 2, introduced by Harbert, "A Resolution memorializing Congress for the passage of hydro-electric power legislation that will enable the Government to lease power sites to private legitimate enterprises under proper rules and regulations," was this day introduced, read first and second times, and referred to Committee on Federal Relations.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 1, introduced by Harbert, "A Resolution memorializing Congress for an appropriation of \$1,000,000.00 for the Flathead Irrigation



Project for the ensuing year," was this day introduced, read first and second times, and referred to the Committee on Federal Relations.

Respectfully,

J. F. CONE, Secretary of the Senate.  
Senate Chamber, Helena, Montana, January 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 6, was this day re-referred to the Judiciary Committee.

Respectfully,

J. F. CONE, Secretary of the Senate.  
Senate Chamber, Helena, Montana, January 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 8, introduced by Oliver, entitled, "An Act to amend Section 10 of Chapter 122 of the Session Laws of the Fourteenth Legislative Assembly, relating to the registration of electors," was this day read a third time, passed, title agreed to, and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of the Senate.  
Senate Chamber, Helena, Montana, January 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 49, introduced by Demel, entitled, "An Act to amend Section 5177 Revised Codes of Montana, 1907, relating to defrauding the owner of an Inn or Hotel, owner of Cafe, Restaurant, Apartment Rooming or Boarding House, and providing penalty for violation thereof," was this day read a third time and concurred in as amended, title agreed to and is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of the Senate.  
Senate Chamber, Helena, Montana, January 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 31, introduced by Demel, entitled, "An Act to amend Section 6870e of the Revised Codes of Montana, enacted in Chapter 113 of the Laws of 1915, so as to avoid the necessity of taking oral testimony before securing an Order for Publication of Summons in an action to quiet title," was this day read a third time and concurred in as amended, title agreed to, and is herewith transmitted to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of the Senate.

### THIRD READING OF HOUSE BILLS.

H. B. No. 58, having been read three several times, was passed by the following vote:

Ayes: Andrew, Ashby, Ball, Bent, Blodgett, Buchanan, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Duffy, Farmer, Fishbaugh, Gould, Grimes, Hathaway, Hawks, Hurd, Husser, Ironside, Jensen, Kehoe, Larse, Lemmon, McMahon, Mason, Morris, Morrow, Murray, O'Brien, Page, Prosser, Rainey, Sand, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Mr. Speaker—48.

Noes: Anderson (Oscar W.), Arneson, Baldwin, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Burnworth, Dodds, Eaton, Eliel, Fuller, Griffin, Gullidge, Harbert, Harmon, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Kemmis, Lanstrum, Lusk, McClory, McMillan, McQuarrie, Middleton, Phelps, Quaintance, Rasmussen, Scott, White, Working—42.

Absent and not voting: Andersen (Charles), Baxter, Flanigan, Lewis, McDonald—5.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 62, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas,

Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmusson, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Mr. Speaker—90.

Noes: None.

Absent and not voting: Andersen (Charles), Flanigan, Lewis, McDonald, Working—5.

H. B. No. 68, having been read three several times, was passed by the following vote:

Ayes: Andrew, Ashby, Ball, Baxter, Bent, Blodgett, Booth, Carll, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Duffy, Farmer, Fishbaugh, Fuller, Gould, Grimes, Hathaway, Hawks, Hurd, Husser, Ironside, Jensen, Kehoe, Larse, Lemmon, McClory, McMahon, Mason, Morris, Middleton, Morrow, Murray, O'Brien, Page, Prosser, Rainey, Sand, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Mr. Speaker—52.

Noes: Anderson (Oscar W.), Arneson, Baldwin, Belden, Bernard, Blake, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Cotter, Dodds, Eaton, Eliel, Griffin, Gullidge, Harbert, Harmon, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Kemmis, Lanstrum, Lusk, McMillan, McQuarrie, Phelps, Quaintance, Rasmusson, Scott, Working—39.

Absent and not voting: Andersen (Charles), Flanigan, Lewis, McDonald—4.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 67, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmusson, Sand, Scott, Searles, Sektan, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—87.

Noes: Farmer, Jensen, Murray, Shaw—4.

Absent and not voting: Andersen (Charles), Flanigan, Lewis, McDonald—4.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 80, having been read three several times, passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—89.

Noes: None.

Absent and not voting: Andersen (Charles), Clark, Flanigan, Lewis, McDonald, Rasmusson—6.

Title agreed to and Bill transmitted to Senate for concurrence.

Mr. Speaker notified the House that he was about to sign Senate Joint Memorial No. 1, "Petition to Congress to enact a law admitting to citizenship one George

Washington Taylor, formerly known as Sing On, born within the empire of China," and signed same in the presence of the House.

H. B. No. 74, having been read three several times, passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, White, Working, Mr. Speaker—88.

Noes: None.

Absent and not voting: Andersen (Charles), Clark, Flanigan, Lewis, McDonald, Rasmusson, Wheat—7.

Title agreed to and Bill referred to Senate for concurrence.

H. J. M. No. 3, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—85.

Noes: Burnworth, McClory—2.

Absent and not voting: Andersen (Charles), Booth, Clark, Flanigan, Lewis, McDonald, Rasmusson, Searles—8.

Title agreed to and Memorial transmitted to Senate for concurrence.

Senate amendments to H. B. No. 31 were concurred in by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—87.

Noes: None.

Absent and not voting: Andersen (Charles), Clark, Flanigan, Fuller, Lewis, McDonald, Rasmusson, Searles—8.

Bill referred to Enrolling Committee.

Senate amendments to H. B. 49 were concurred in by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey,



Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—89.

Noes: None.

Absent and not voting: Andersen (Charles), Clark, Flanigan, Fuller, Lewis, McDonald—6.

On motion of McMahon, title of H. B. No. 49 was amended by inserting after the words "boarding house" the word "hospitals," to conform to Senate amendments in body of Bill, and Bill was transmitted to Senate for concurrence in House amendment.

On motion of Eliel, House resolved itself into a Committee of the Whole, for consideration of General Orders.

#### GENERAL ORDERS.

Rainey in the chair.

House resumed.

Mr. Speaker in the chair.

Rainey from the Committee of the Whole reported as follows:

Mr. Speaker: Your Committee of the Whole having had under consideration H. B. No. 42, introduced by McQuarrie, entitled, "An Act to amend Section 2056, Revised Codes of Montana, 1907, relating to the furnishing of medicine or medical attendance to the sick, poor and infirm of the county, and to inmates of county jails," report same back to the House with the recommendation that it do pass.

Also having had under consideration H. B. No. 70, introduced by Kehoe, entitled, "An Act providing how penalties and interest on delinquent taxes and assessments shall be apportioned," report same back to the House with the recommendation that it do pass.

Also having had under consideration S. B. No. 4, introduced by Edwards, a Bill for an Act requiring an oath to be taken by persons testifying before Legislative Committees and providing that false testimony given by such persons shall constitute perjury, report same back to the House with the recommendation that it be concurred in.

Also having had under consideration H. B. No. 103, introduced by Husser, entitled, "An Act to make available for use of the State Board of Health all funds deposited in the State Treasury to the credit of the State Board of Health maintenance fund," report same back to the House with the recommendation that Section 2 thereof be amended by inserting after the word "auditor" in line 5 thereof the following: "When monies have been appropriated out of said fund by Legislature," and that same do pass as amended.

Also having had under consideration H. B. No. 87, introduced by Belden, entitled, "An Act to provide for an additional judge for the Tenth Judicial District of the State of Montana so that there will hereafter be two judges in said District," report same back to the House with the recommendation that it do pass.

Report adopted and H. B. Nos. 42, 70, 103 and 87 referred to Committee on Engrossment; Senate Bill No. 4, placed on calendar for Third reading.

Higgins was given unanimous consent to give the following notice of introduction:

"I hereby give notice that I will, on tomorrow or some subsequent day, introduce a Bill for an Act entitled, "An Act to amend Section 3454 of the Revised Codes of Montana, 1907, relating to elections and qualifications of voters."

Lusk gave notice that he would on tomorrow make a motion to suspend the rule requiring the Third reading of House Bills at length.

Bent, Chairman of the Committee on New Counties and Divisions, gave notice that there would be a public hearing before that Committee at 7:30 p. m. January 29, in the committee room, Placer hotel, for the consideration of House Bills Nos. 85 and 76.

On motion of McMahon, House adjourned at 4:30 p. m. until 11:00 a. m., Tuesday, January 30, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.



## THIRTIETH DAY

Tuesday, January 30, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll called. All members present.

Blodgett from the Committee on Journal reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the Twenty-ninth day and find same to be correct. Report adopted.

## COMMUNICATIONS AND PETITIONS.

The following communication was received from L. M. Rheem, Secretary of the Mining Men's Association:  
To the Senate and House of Representatives, Fifteenth Legislative Assembly,  
Helena, Montana.

My Dear Sirs:

The mining operators and mining men of the Helena Mining District will hold a meeting for the consideration of their mutual interests, at the Helena Commercial Club room in this city on Wednesday, January 31st, at 8 o'clock P. M.

I have been instructed to extend a cordial invitation to all members of your Honorable Body to attend, and I hope that it may be possible for you to be present.

## NOTICES OF BILLS.

By Gullidge: "An Act to establish a vocational school unit in districts of the third class, to provide for the maintenance of same, to provide for the election of a board of trustees and prescribe their duties."

By Grimes: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana by adding thereto a section to be known as Section 7, relating to the consolidation of city and county governments."

By Carll: "An Act providing how candidates for the office of trustee of school districts may be nominated."

By Belden: "An Act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto and the payment of the expenses of such commissioners."

By Oscar Anderson: "An Act authorizing the assignment by county treasurers of duplicate certificates of tax sale issued to the counties on sales of property for taxes."

By Connolly: "An Act providing for the lighting of all horse drawn vehicles on the country roads or highways at night."

By Buell of Missoula: "An Act to amend Paragraph 6 of Section 5017 of the Revised Codes of 1907, relating to the validating of contracts not in writing, authorizing or employing agents or brokers to procure purchasers for real estate."

By Harbert: "An Act providing for the leasing and granting of easements on the rights of way over lands owned by the State of Montana, lying between low and high water mark of any navigable lake and repealing Chapter 124 of the Session Laws of the Twelfth Legislative Assembly."

## REPORTS OF STANDING COMMITTEES.

Connolly from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 29, 87 and 70, beg leave to report same back as correctly engrossed."

Report adopted and Bills placed on Calendar for Third reading.

Report from the Committee on New Counties and Divisions reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 76, a Bill for an Act entitled, "An Act to extend and define the boundaries of Silver Bow County, and to alter the boun-

daries of Deer Lodge County to conform thereto," respectfully beg leave to report as follows: We recommend the Bill do pass.

Report adopted and Bill referred to Printing Committee.

## INTRODUCTION AND SECOND READING OF BILLS AND MEMORIALS.

H. B. No. 156, introduced by Committee on Conservation of Resources: A Bill for an Act entitled, "An Act to provide for the storing of flood waters, and giving to the person erecting storage works or dams, the right to the use and ownership of waters so stored." Read first and second time and referred to Committee on Waterways and Navigation.

H. B. No. 157, introduced by Henderson: A Bill for an Act entitled, "An Act to amend Sections 1, 2 and 3 of Chapter 139 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, providing for the creation, organization and classification of new counties, for locating county seats, and for the election and appointment of officers." Read first and second times, and referred to Judiciary Committee.

H. B. No. 158, introduced by Hawks: A Bill for an Act entitled, "An Act providing for the inspection of refined petroleum, illuminating oils, gasoline and others. Low flash test, petroleum products providing for the ports of entry, appointment of a state inspector of oils and deputies, fixing the salaries of the same and defining chemical and other tests." Read first and second time and referred to Judiciary Committee.

H. B. No. 159, introduced by Ironside: A Bill for an Act entitled, "An Act relating to delivery of express matter by express companies at addresses within the corporate boundaries of any city of the first, second or third class, and providing penalties for violation thereof." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 160, introduced by Farmer: A Bill for an Act entitled, "An Act to amend Section 8293 of the Revised Codes of the State of Montana of 1907, relating to the penalty for murder." Read first and second time and referred to Judiciary Committee.

H. B. No. 161, introduced by Carl: A Bill for an Act entitled, "An Act providing for the levy of school district taxes in excess of ten mills, when authorized by a vote of the qualified electors of such district, who are tax paying freeholders therein." Read first and second time and referred to Judiciary Committee.

H. B. No. 162, introduced by Bent and Phelps. A Bill for an Act entitled, "An Act to prohibit the sale of intoxicating liquors in territory not embraced within the limits of incorporated cities or towns, providing for the enforcement thereof, prohibiting the issuance of licenses therefor and prescribing penalties for its violation." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 163, introduced by Murray: A Bill for an Act entitled, "An Act providing regulations regarding railroads operating in the State of Montana, to promote the safety of employees and of the traveling public upon railroads, by prohibiting persons, firms and corporations operating railroads in this state and certain of their officers and employees from requiring or permitting certain employees to receive, deliver or transmit by means of any telephone or telegraph instrument, orders for the movement of trains or cars except in certain cases in this Act provided." Read first and second time and referred to Committee on Railroads and Transportation.

H. B. No. 164, introduced by Hurd: A Bill for an Act entitled, "An Act to provide for the letting of contracts for public printing, fixing the prices therefor, providing a penalty for violations of this Act, and to repeal Section 2897 of the Revised Codes of the State of Montana for 1907." Read first and second time and referred to Committee on Printing.

H. B. No. 165, introduced by Higgins: A Bill for an Act entitled, "An Act relating to the practice of pharmacy in the State of Montana and authorizing the registration as assistant registered pharmacists or as registered pharmacists by the State Board of Pharmacy of the State of Montana of persons who present diplomas of graduation from the School of Pharmacy of the University of Montana

and pay the regular fees for such registration." Read first and second time and referred to Committee on Public Health and Sanitary Affairs.

H. B. No. 166, introduced by Higgins: A Bill for an Act entitled, "An Act to amend Section 3451 of the Revised Codes of Montana, 1907, relating to elections and qualifications of voters." Read first and second time and referred to Judiciary Committee.

H. B. No. 167, introduced by Harmon: A Bill for an Act entitled, "A Bill for the purpose of commemorating the explorations of the Lewis and Clark expedition and to aid in the erection of heroic bronze statues of Meriwether Lewis and William Clark at the Great Falls and at the Three Forks of the Missouri river, providing for the creation of the Lewis and Clark Memorial Commission and making appropriations therefor." Read first and second time at length, and referred to Committee on Appropriations.

H. B. No. 168, introduced by Baxter: A Bill for an Act entitled, "An Act to amend Section 50 of Chapter 89, Session Laws of 1915, being an Act entitled 'An Act regulating the business of banking, providing for the creation and regulation of banking corporations, creating the department of banking and prescribing the duties and fixing the salaries of its officers and employees and repealing Title 2, Part 4 of Subdivision 1, of the Civil Code of Montana entitled "Banks and Banking Corporations," being the provisions of Sections 3909 to 4015, both numbers inclusive, Revised Codes of Montana, 1907, and all Acts amendatory thereof," Read first and second time and referred to Committee on Banks and Banking.

#### READING OF SENATE BILLS.

S. B. No. 52, read first and second times and referred to Committee on Ways and Means.

#### MOTIONS AND RESOLUTIONS.

On motion of Higgins, House Bills Nos. 46 and 100 were referred to the Judiciary Committee.

On motion of Johnson of Deer Lodge, the Chief Clerk was instructed to tender a vote of thanks to the management of Columbia Gardens, for the flowers presented to the members of the House.

On motion of Ironside, House reverted to Second Order of Business.

#### NOTICES OF BILLS.

By Ironside: "An Act to prohibit deputy State officers and other employees of the State from engaging in business that will cause unfair competition; to prevent such persons who travel at the expense of the State from engaging in the business of purchasing, selling, storing or manufacturing articles of commerce, farm, dairy or other products, or engaging in the business of insurance, bonding, trading, manufacturing or other lines of business or occupation save and except the duties required of them by law, and to prevent said State officers and employees from acting as agents of those who are engaged in said pursuits and industries; and to punish those who violate the provisions of this Act."

By Hurd: "An Act to authorize and regulate the practice of Chiropractic, to provide for the licensing and examination of Chiropractors, to create a State Board of Examination and Registration, to provide for the appointment of same, to establish rules and regulations governing said board, to provide a curriculum, and establish a standard of efficiency, to provide prerequisites and establish a fee for examination, to provide for the disposal of the fund arising from said fee, to regulate the holding of meetings of said board and issuance of license to practice Chiropractic, to provide a penalty for practicing Chiropractic without a license as provided by this Act."

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

Senate Chamber, Helena, Montana, January 29, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Resolution, introduced this day by Haley, was read and adopted:

WHEREAS, certain specific charges having been made concerning the conduct of State business in the State Land Office; and

WHEREAS, said charges include illegality, irregularity and incompetency on the part of the present officials of the State Land Office, in the selection, lease and sale of State lands;

IT IS THEREFORE RESOLVED, that a Committee of three (3) be appointed by the Committee on Committees to investigate such charges; said Committee being empowered to examine all records of the State Land Office and of the State Forestry Office, to secure such expert service as is necessary and report in detail their findings at the earliest possible moment.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 29, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President in open session this day signed Senate Joint Memorial No. 1.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 29, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bill No. 52, introduced by Kinney, was this day read a third time, passed, title agreed to, and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 29, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times, and referred as follows:

Substitute for S. B. No. 41, Burla: "An Act to amend Section 9006 of the 1907 Revised Codes of Montana, having to do with the removal of public officers by summary proceedings." Referred to Committee on Printing.

S. B. No. 89, Jones: "An Act to amend Section 6 of Chapter 96 of the Fourteenth Session Laws, defining public corporations." Referred to Committee on Compensation.

S. B. No. 90, Healy: "An Act to dissolve corporations that fail or neglect to make statements required by law, and to dissolve those that do not pay certain taxes; to make it the duty of the County Clerks to report such corporations to the Secretary of State; to provide for Clerks of Courts to make reports of those that are dissolved by courts; and to fix duty of Secretary of State and Governor relating to dissolution and reinstatement of said corporations; and fixing penalties for those who attempt to do business after said corporations have been dissolved." Referred to Committee on Corporations other than Municipal.

S. B. No. 91, McCone: "A Bill for an Act providing for the safe investment of the State permanent common school funds, and all other permanent State educational, charitable and penal institution funds in the securities herein designated; for the prompt collection of interest thereon, providing a method of procedure in making said investments to guard and protect such funds; and prescribing the duties and obligations of the various officers of the State in making said investments, and repealing all laws and parts of laws in conflict herewith." Referred to Committee on Judiciary.

S. B. No. 92, Jones: "An Act to amend Section 3032 of the Montana Revised Codes of 1907, enumerating the instruments to be recorded by the County Clerk and Recorder, and the manner of recording the same, and providing for the validation of certain instruments heretofore recorded." Referred to Committee on Judiciary.

S. B. No. 93, Oliver: "An Act to amend Section 300; Subdivision 9 of Section 302; Subdivisions 11 and 10 of Section 502 and Section 509; Subdivision 4 of Section 512; Subdivision 6 of Chapter 803; Section 904; Articles a, b and c of Subdivision 1, Section 905; Sections 1000, 1003 and 1500 and to repeal Sections 801 and 1004 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly; and to repeal Chapter 19 of the Session Laws of the Thir-



teenth Legislative Assembly, relating to district school elections." Referred to Committee on Elections and Privileges.

Senate Bill No. 94, introduced by Kane: A Bill for an Act entitled, "An Act to amend Sections 1 (a), 1 (b), 1 (c), 2 (d), 3 (e), 3 (f), 3 (g), 3 (h), 3 (i), 4 (i), 6 (i), 6 (j), 6 (k), 6 (l), 6 (m), 6 (n), 6 (q), 6 (ce), 7 (a), 7 (b), 8 (d), 9 (a), 9 (b), 10 (a), 10 (b), 13 (a), 13 (b), 14 (f), 16, 16 (a), 16 (b), 16 (c), 16 (d), 16 (e), 16 (f), 16 (g), 16 (h), 16 (i), 16 (j), 16 (k), 17 (b), 17 (f), 17 (g), 17 (h), 17 (i), 17 (j), 17 (k), 18 (e), 25 (d), 30 (a), 30 (b), 30 (g), 40 (a), 40 (c), 40 (m), 40 (r), 40 (t), and 51 (a), of Chapter 96 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, an Act entitled, 'An Act providing for the protection and safety of workmen in all places of employment and for the inspection and regulation of places of employment in all inherently hazardous works and occupations; providing a schedule of compensation for injury to, or death of workmen, and methods of paying the same and prescribing the liability of employers who do not elect to pay such compensation; establishing an industrial accident board, defining its powers and duties and providing for a review of its awards,' and to add two additional Sections thereto to be designated, respectively, 17 (l) and 25 (e), and to repeal Sections 4 (b), 4 (c), 4 (d), 4 (e), 5, 6 (a), 6 (b), 6 (c), 6 (d), 6 (e), 6 (f), 8 (a), 8 (b), 8 (c), 14 (a), 14 (b), 14 (c), 14 (d), 14 (e), 35 (a), 35 (b), 35 (c), 35 (d), 35 (e), 35 (f), 35 (g), 35 (h), 35 (i), 35 (j), 35 (k), and 35 (l) of said Act."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 29th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committees with recommendations:

Committee on Judiciary reported Senate Bill No. 3, introduced by Brower, entitled, "An Act to amend Section 2 of Chapter 83, Session Laws of the Thirteenth Legislative Assembly of the State of Montana, 'An Act to provide for the regulation of sale of articles by weight, measure and numerical count, within the State of Montana; creating the office of State Sealer of Weights and Measures, providing the duties and powers of such State Sealer of Weights and Measures; providing penalties for the violation of the provisions of this Act and repealing the provisions of Chapter 34 of the Laws of the Twelfth Legislative Assembly, approved March 13, 1913,'" recommend that Section 3 be amended as follows:

"The Secretary of State as ex-officio State Sealer of Weights and Measures, shall be authorized to do and perform any and all acts by this Act authorized. All bills and accounts of expense incurred by the State Sealer of Weights and Measures shall be presented to and allowed by the State Board of Examiners in the same manner as provided for other claims contracted for and in behalf of the State of Montana," and as so amended, recommend that the Bill do pass. Report adopted.

Committee on Judiciary reported Senate Bill No. 81, introduced by Edwards, entitled, "An Act to amend Section 4416 of the Revised Codes of the State of Montana, relating to the annual statement," recommending that the title be amended by adding "foreign corporations and joint stock companies," and the Bill as so amended do pass. Report adopted.

Committee on Judiciary reported Senate Bill No. 82, introduced by Oliver, entitled, "An Act to amend Section 6, Article 209, Chapter XI of the Revised Codes of 1907, relating to reports of state examiners," recommending that the Bill do pass. Report adopted.

Committee on Judiciary reported Senate Bill No. 41, introduced by Burlā, entitled, "An Act to amend Section 9006 of the 1907 Codes of Montana, having to do with the removal of public officers by summary proceedings," recommending that the same be amended in accordance with the substitute, and as so amended that the Bill do pass. Report adopted.

Committee on Public Lands reported Senate Bill No. 47, introduced by

Whiteside, entitled, "An Act to provide an improved system of recording land titles and fixing penalties for violation of same," recommending that same be printed. Report adopted.

Committee on Printing reported Senate Bills Nos. 26, 27, 54, 20, 23, 60, 55, 70, 33, 32, 31, 42, 65 and 52 correctly printed.

Committee on Enrollment reported Senate Joint Memorial No. 1 correctly enrolled.

Committee on Labor and Capital reported Senate Bill No. 29, introduced by Oliver, entitled, "An Act relating to liens for labor and materials furnished to owners of leaseholds for oil and gas purposes and for materials and labor for the construction of oil and gas pipe lines," recommending that the Bill do pass. Report adopted.

Committee on Labor and Capital reported Senate Bill No. 39, introduced by Healy, entitled, "An Act to make lawful agreements between employers and laborers, and to limit the issuance of injunctions in certain cases," recommending that the Bill be re-referred to Committee on Capital and Labor. Report adopted.

Committee on Tax Investigation reported as follows: In view of the statements made in the public press to the effect that the committees of the Senate and House on Tax Investigation, had agreed upon the endorsement of a certain Bill, and had also determined that no special tax would be levied on mining corporations or public utilities, the members of these Committees consider it necessary to publicly repudiate all such statements.

No individual member of either Committee has been authorized to speak for the Committees and no conclusion has been officially reached on any of the important subjects covered by our investigations.

We further consider the statement which appears in the Helena Independent of this morning as misleading to the public in that it apparently ignores entirely the question of whether or not the present relative taxation of property and interests within the State is just and uniform." Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 29, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices were this day given.

By Oliver: "An Act to amend Subdivision 4 of Section 507 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the powers of school trustees."

By Slayton: "An Act to amend Section 8492 of the Revised Codes of Montana, 1907, relative to the sale of carcasses of animals affected with an infectious or contagious disease."

By O'Shea: "An Act to provide for the appointment by the Governor of the members of the Board of Railroad Commissioners of the State of Montana; defining the duties and salaries of the members of said board; and repealing all Acts and parts of Acts in conflict therewith."

By Whiteside: "An Act to authorize the consolidation of co-operative associations organized under the laws of Montana."

By Whiteside: "An Act to provide two years of normal training in high school."

By Whiteside: "An Act to appropriate money for the construction of a dormitory and assembly room at the Montana State Soldiers' Home."

By Whiteside: "An Act to amend Chapter 68 of the Laws of the Fourteenth Legislative Assembly relating to the closing of saloons on Sunday."

By Williams: "An Act to authorize the State Board of Prison Commissioners to adopt a special rule allowing additional good time, in addition to that provided for by statute for good conduct, to convicts employed on public roads, or other works, and providing a penalty for the violation of such rule."

By Hogan: "An Act to amend Section 11 of Chapter 146 of the Eleventh Legislative Assembly, relating to the creation, organization, government and extension of irrigation districts; and providing for the election of Commission-

ers of Irrigated Districts, prescribing their term of office and providing for the appointment of superintendent of irrigation."

By Hogan: "An Act amending Subdivision 1 of Section 14 of Chapter 89 of the Session Laws of 1913, and providing that assessments to defray cost of construction of sewers be based upon the assessed valuation of the lots and parcels of land included within the improvement district formed for the construction of such improvements."

By Fishbeck: "An Act concerning county auditors, prescribing and enlarging their duties and powers, and transferring certain fiscal duties now performed by the county clerk to the office of county auditor; to provide for the appointment and election of county auditors in counties of the sixth, seventh and eighth classes and fixing their compensation; to provide for the appointment of deputy auditors in all counties and fixing their compensation; prescribing certain duties of the State Examiner and the Board of County Commissioners in relation thereto; to amend Sections 2611, 2613, 2621, 2623, 2626, 2627, 2628, 2634, 2664, 2674, 2676, 2696, 2697, 2709, 2710, 2711, 2717, 2718, 2719, 2721, 2722, 2723, 2746, 2747, 2748, 2753, 2768, 2987, 2996, 2007, 3100, 3104, 3108, 3179 and 3184 and to repeal Sub-Section 4 of Section 3045 and Sub-Sections 1, 2, 3, 4, 5 and 6 of Section 2953 of the Revised Codes of Montana, 1907."

By Jones: "An Act to restrain persons convicted by jury in a court of record of unlawfully practicing medicine, surgery, osteopathy, dentistry or optometry from further practice until such person shall have been lawfully admitted to practice."

Respectfully,

J. F. CONE, Secretary of the Senate.

### THIRD READING OF HOUSE BILLS.

H. B. No. 87, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Scott, Searles, Shaw, Spain, Stimpert, Weil, Wheat, White, Working, Mr. Speaker—83.

Noes: Davis, Sand, Sektnan—3.

Absent and not voting: Andersen (Charles), Andrew, Flanigan, Higgins, Husser, Kelsey, McClory, McMillan, Ward—9.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 70, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Mr. Speaker—85.

Noes: Brooks, Higgins—2.

Absent and not voting: Andersen (Charles), Belden, Blodgett, Flanigan, Husser, McClory, McMillan, Working—8.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of McMahon, House recessed at 11:55 A. M. until 12:55 P. M.



## AFTERNOON SESSION.

House reassembled at 12:55 P. M.

Mr. Speaker in the Chair.

A communication was received from the mining men of the Georgetown mining district, Southern Cross, Montana, protesting against any further taxation of the mining industry.

On motion of Blake, communication was referred to the Special Tax Investigating Committee.

On motion of Murray, House resolved itself into a Committee of the Whole for the consideration of General Orders.

## GENERAL ORDERS.

Gould in the Chair.

House resumed.

Mr. Speaker in the Chair.

Gould, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 22, a Bill for an Act entitled, "An Act authorizing and directing the Board of Railroad Commissioners of the State of Montana to establish and fix the rate of one cent per mile for the railway fare to be charged for transporting prisoners regularly sentenced to the State prison in the State of Montana, to and from said State prison to any point within the State of Montana, for the purpose of conveying such prisoners to such point or from such point to be employed on public roads or other public work," beg to report the same back to the House with the recommendation that title of Bill be amended by inserting after the word "Montana" the words "and the necessary guards to insure the safekeeping of such prisoners," and in line 4, Section 1, the same amendment after the word "Montana," and that Bill as amended be concurred in.

Also, having had under consideration S. B. No. 30, a Bill for an Act entitled, "An Act to amend Section 9029 of the Revised Codes of Montana, 1907, relating to the time within which an indictment for crime may be found or an information or complaint filed; and providing for excepting time during which the defendant is outside the State," beg to report the same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 36, a Bill for an Act entitled, "An Act to amend Chapter Two, Title Two, Part Two, of the Code of Civil Procedure of Montana, relating to adverse possession of real estate," beg to report same back to the House with the recommendation that it be amended by inserting in line 7, after the word "been," the word "legally," and that as amended Bill be concurred in.

Also, having had under consideration H. B. No. 29, a Bill for an Act entitled, "An Act to amend Section 1739, Revised Codes of Montana of 1907, relating to hours of labor for municipalities, mines, mills and smelters," report same back to the House with the recommendation that Section 1 thereof be amended as follows: By striking out in lines 4 and 5 the words "or a school district"; by striking out in lines 7 and 8 the words "or school district"; by inserting in line 4, after the word "government," the words "school districts of the first class," and in line 7, after the word "government," the words "school districts of the first class"; by inserting in line 9, after the word "coal," the following: "and provided further that eight (8) hours shall constitute a day's work in all manufacturing and saw mill operations," and that as amended Bill do pass.

Also, having had under consideration H. B. No. 98, introduced by Carl, entitled, "An Act to amend Sections 1611, 1613 and 1618 of the Revised Statutes of the State of Montana, relating to the regulation of the practice of optometry, and to prevent ignorant, unprofessional or incompetent persons from practicing same," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 23, introduced by Johnston of Ravalli and Cotter, entitled, "An Act to prohibit gambling on games played upon pool and billiard tables; to punish those who participate therein as well as those who conduct or carry on such games, and to provide for early closing



of all pool halls, billiard halls, bowling alleys and other places where pool or billiards is played," report same back to the House with the recommendation that it do pass.

Having had under consideration H. B. No. 71, introduced by Bent, entitled, "An Act to provide free text books for the use of the pupils of the public schools and high schools, at the expense of the districts, and to require the trustees and school boards of each district to purchase same and make rules governing the use of said books, and to allow them sold, at cost, for use of pupils when desired by parents or guardians; and to amend Section 1811, Chapter 76, Laws of the Thirteenth Legislative Assembly, report same back to the House with the recommendation that it do pass.

Report adopted, and H. B. Nos. 29, 98, 23 and 71 referred to Engrossing Committee; S. B. Nos. 22, 36 and 30 placed on calendar for third reading.

Hurd from the Committee on Printing reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 50, beg leave to report that same has been correctly printed.

Report adopted and Bill placed on General Orders.

On motion of Lemmon, House adjourned at 3:55 P. M. until 11:00 A. M. Wednesday, January 31, 1917.

J. F. O'CONNOR, Speaker.  
C. H. TREACY, Chief Clerk.

## THIRTY-FIRST DAY

Wednesday, January 31, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present.

Ironside from the Committee on Journal reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the thirtieth day and find same to be correct. Report adopted.

### COMMUNICATIONS AND PETITIONS.

A communication was received from the Great Falls Commercial Club, protesting against the levying of a tax upon the mining industry of the State.

Communication referred to Special Tax Committee.

On motion of McMahon, Dr. Husser was excused on account of illness.

### NOTICES OF BILLS.

By Stimpert: "An Act to amend Section 4466 of the Revised Codes of Montana of 1907, relating to the length of time valid leases on city lots may be given."

By Kelsey: "An Act to regulate the use, appropriation, distribution, reclamation and measurement of the public waters, and the construction and maintenance of ditches, canals, reservoirs, and the exercise of the right of eminent domain for the appropriation of water; to create the offices of State Engineer, Assistant State Engineer, Division Superintendent, and Water Master and define their duties and fix their fees and compensation; to designate the water divisions of the State; to determine the rights and priorities of claimants diverting, carrying or storing water for irrigation or other beneficial purposes; to define the duties of the Attorney General and County Attorney in suits relating to the use, appropriation or reclamation of water or any works therefor; to provide for the issuance of permits to appropriate water; to require the owner of a ditch or canal to build bridges; to punish parties interfering with rights to use water or trespassing upon ditches, canals, reservoirs or irrigation works for the conveyance or storage of water; to make appro-

priations to carry this Act into effect; to repeal Sections 4840 to 4845, inclusive; 4847 to 4867, both inclusive; Section 4891; and Sections 2138 to 2151, both inclusive."

By Blake: "An Act to regulate and govern the sanitary conditions under which wall paper, or substitute wall covering, shall be placed on walls of rooms in tenement houses, or other houses owned or maintained for rental purposes, and to make a violation of any of the provisions of this Act a misdemeanor."

By Holt: "An Act to regulate the use of the term co-operative, co-operation, co-operator or farmer when used as part of the corporate or other business name or title."

By McDonald: "An Act to create the Eighteenth Judicial District of the State of Montana, comprising the counties of Toole and Teton."

By Sektnan: "An Act requiring the Scandinavian languages to be taught at the State University at Missoula, and at the Agricultural College at Bozeman."

By Higgins: "An Act defining and prohibiting blacklisting and unlawful interference with laborers and providing for the punishment thereof and defining what shall be accepted as evidence in blacklist cases."

#### REPORTS OF STANDING COMMITTEES.

Connolly from the Committee on Engrossment reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred H. B. Nos. 31, 49, 42 and 103, beg leave to report same back as correctly engrossed.

Report adopted and Bills placed on calendar for third reading.

Hathaway from the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, to whom was referred House Bill No. 118, introduced by Mason, entitled, "An Act to amend Section 8346 of the Revised Codes of the State of Montana of 1907, relating to child abandonment and making it a penalty for the parent of a legitimate or illegitimate child to desert said child or children with the intent to wholly abandon it or by the act of said parent does wholly abandon said child or children," report same back to the House with the recommendation that it do not pass. Report adopted.

Hathaway from the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, to whom was referred House Bill No. 89, introduced by Dodds, entitled, "An Act to provide ways and means of compelling support of a wife, child or children, ward or wards, by the husband, father or guardian and providing penalties for failure to so provide, report same back to the House with the recommendation that it do pass, as amended.

Report adopted and Bill referred to Printing Committee.

Shaw, from the Committee on Waterways and Navigation, reported as follows:

Mr. Speaker: We, your Committee on Waterways and Navigation, having had under consideration House Joint Memorial No. 1, beg leave to report back that same be re-referred to the Committee on Federal Relations, as amended. Report adopted.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 85, a Bill for an Act entitled, "An Act changing and defining the boundaries of Yellowstone and Stillwater Counties," respectfully beg leave to report as follows: We recommend the Bill do not pass. Report adopted.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 123, introduced by Henderson, a Bill for

an Act entitled, "An Act establishing and defining the boundary line between Dawson County and Rosebud County, State of Montana," beg leave to report as follows: We recommend the Bill do pass.

Report adopted and Bill referred to Printing Committee.

Hathaway, from the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 143, introduced by Bent, a Bill for an Act entitled, "An Act to amend Section 8346, Revised Codes of 1907, concerning the desertion or abandonment of children and providing penalties," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass, as amended."

Report adopted and Bill referred to Printing Committee.

Ironside, from the Committee on State Boards and Officers, reported as follows:

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Senate Bill No. 38, introduced by O'Shea, a Bill for an Act entitled, "An Act to authorize the investment of the permanent funds of the State in Federal Farm Loan Bonds and to amend the first Section of the initiated law passed by the people at the general election held in November, 1914, by adding another Section thereto, authorizing the State Board of Land Commissioners to make such investment," report same back to the House with the recommendation that it do pass.

Report adopted and Bill placed on General Orders.

Ironside, from the Committee on State Boards and Officers, reported as follows:

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 33, introduced by Farmer, a Bill for an Act entitled, "An Act to amend Sections 1643 and 1655 of the Revised Codes of 1907, as the same were amended by Chapter 30, Sections 5 and 13 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the inspection and operation of steam boilers within the State of Montana, and including the examination and licensing of engineers therefor," report same back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 160, by Farmer, a Bill for an Act entitled, "An Act to amend Section 8293 of the Revised Codes of the State of Montana of 1907, relating to the penalty for murder," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

On motion of Farmer, Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 18, by Jones, a Bill for an Act entitled, "An Act to amend Section 3178 of the Revised Codes of Montana, 1907, providing for the per diem and mileage of grand and trial jurors for attendance before courts of record," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 151, by O'Brien, a Bill for an Act entitled, "An Act to provide for the payment of wages of employees and to provide penalties for the violations thereof," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 15, by Larson, a Bill for an Act entitled, "An Act to



amend Section 9289 of the Revised Codes of Montana, 1907, relating to evidence necessary to convict of crime of obtaining money or property by false pretense," respectfully beg leave to report as follows: That as amended it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 148, by Kemmis, a Bill for an Act entitled, "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 6 of Article XIII of the Constitution of the State of Montana, relating to indebtedness of cities, towns, townships and school districts," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 97, by Holt, a Bill for an Act entitled, "An Act to amend Section 4076 of the Revised Codes of Montana of 1907," respectfully beg leave to report as follows: That as amended it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 86, by Working, a Bill for an Act to amend Section 3169 of the Revised Codes of Montana of 1907, relating to the fees of the Clerk of the District Court, respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 166, by Higgins, a Bill for an Act entitled, "An Act to amend Section 3454 of the Revised Codes of Montana, 1907, relating to elections and qualifications of voters," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 161, by Carll, a Bill for an Act entitled, "An Act providing for the levy of school district taxes in excess of the ten mills, when authorized by a vote of the qualified electors of such district, who are taxpaying freeholders therein," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 82, by Rainey, a Bill for an Act entitled, "An Act to amend Section 7731 of the Revised Codes of the State of Montana of 1907, relating to the payment of inheritance tax to county treasurers and receipts," respectfully beg leave to report as follows: That as amended it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 111, by Demel, a Bill for an Act entitled, "An Act to amend Section 5031, Revised Codes of Montana, 1907, providing for the negotiability of promissory notes secured by mortgage," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be indefinitely postponed. Report adopted.

## INTRODUCTION AND SECOND READING OF BILLS AND MEMORIALS.

H. B. No. 169, introduced by Grimes: A Bill for an Act entitled, "An Act



for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana, by adding thereto a Section to be known as Section 7, relating to the consolidation of city and county governments." Read first and second times and referred to Judiciary Committee.

H. B. No. 170, introduced by Buell of Missoula: A Bill for an Act entitled, "An Act to amend Paragraph Six of Section 5017 of the Revised Codes of 1907, relating to the validating of contracts not in writing, authorizing or employing agents or brokers to procure purchasers for real estate." Read first and second times and referred to Judiciary Committee.

H. B. No. 171, introduced by Committee on Fairs and Expositions: A Bill for an Act entitled, "An Act to amend Sections 2927, 2928, 2930, 2931 and 2932 of the Revised Codes of Montana, 1907, and Section 2929 of the Revised Codes of Montana, 1907, as amended by Section 3 of Chapter 30 of the Laws of the Twelfth Legislative Assembly of the State of Montana, relating to County Fairs in Counties of the State, appointing a Fair Commission by the County Commissioners, defining the duties and compensation of such Fair Commissioners, providing for a tax, the appropriating of money for the purchase, holding and improving of lands for the maintenance of a County fair, providing for the disbursement of such moneys, to provide for County exhibits at the State fair and making the County Treasurer ex-officio the Treasurer of such County Fair Association; repealing Sections 1 and 2 of Chapter 30 of the Twelfth Session Laws of Montana and repealing Chapter 124 of the Laws of the Thirteenth Legislative Assembly of the State of Montana." Read first and second times at length, and referred to Committee on Appropriations.

H. B. No. 172, introduced by Page: A Bill for an Act entitled, "An Act to amend Sections 1 and 4, Chapter II of Chapter 141, of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled an Act to amend Chapter 72 of the Session Laws of 1913, the same being known as the General Highway Laws and relating to the classification and permanent improvement of public highways." Read first and second times and referred to Committee on Highways.

H. B. No. 173, introduced by Hurd: A Bill for an Act entitled, "An Act to authorize and regulate the practice of Chiropractic, to provide for the licensing and examination of Chiropractors, to create a State Board of Examination and Registration, to provide for the appointment of same, to establish rules and regulations governing said board, to provide a curriculum, and establish a standard of efficiency, to provide prerequisites and establish a fee for examination, to provide for the disposal of the fund arising from said fee, to regulate the holding of meetings of said board and issuance of license to practice Chiropractic, to provide a penalty for practicing Chiropractic without a license as provided by this Act." Read first and second times and referred to Judiciary Committee.

H. B. No. 174, introduced by Deibel: A Bill for an Act entitled, "An Act to amend Section 9812 of the Revised Codes of 1907, of the State of Montana, relating to aiding or abetting or concealing or harboring escapes from the Montana State Industrial School." Read first and second times and referred to Committee on Education.

H. B. No. 175, introduced by Deibel: A Bill for an Act entitled, "An Act to amend Section 9810 of the Revised Codes of 1907 of the State of Montana, relating to release, parole or pardon of the inmates of the Montana State Industrial School." Read first and second times and referred to Judiciary Committee.

H. B. No. 176, introduced by Lewis: A Bill for an Act entitled, "An Act amending Section 8416 of the Revised Codes of Montana of 1907, prohibiting gambling and providing a penalty for the violation thereof." Read first and second times and referred to Judiciary Committee.

H. B. No. 177, introduced by Harbert: A Bill for an Act entitled, "An Act providing for the leasing and granting of easements on and rights of way over lands owned by the State of Montana, lying between low and high water mark of any navigable lake and repealing Chapter 124 of the Session Laws of the

Twelfth Legislative Assembly." Read first and second time and referred to Committee on Waterways and Navigation.

H. B. No. 178, introduced by Holt: A Bill for an Act entitled, "An Act to provide for liens on monuments, gravestones and cemetery structures in favor of persons or corporations furnishing the same." Read first and second time and referred to Judiciary Committee.

H. B. No. 179, introduced by Belden: A Bill for an Act entitled, "An Act to establish a State Normal School at Lewistown, Montana, which shall be known as the Central Montana State Normal School, to make the same a part of the Montana University and providing for its regulation, location and control: making appropriations for its equipment and maintenance and to provide for the necessary buildings for the same, and amending Sub-section (1) of Section 106 and Sub-section (2), Subdivision (b) 1 of Section 108 of Chapter 76 of the Laws of the Thirteenth Session of Montana." Read first and second time at length, and referred to Committee on Appropriations.

H. B. No. 180, introduced by Shaw: A Bill for an Act entitled, "An Act to amend Section 1808 of the Revised Codes of Montana, 1907, relating to the inspection of horses when moved from one county to another within the State." Read first and second time and referred to Committee on Sanitary Affairs.

#### MOTIONS AND RESOLUTIONS.

O'Brien: I move to reconsider the vote by which the report of the Committee on Judiciary, relating to H. B. No. 151, was adopted. Motion carried.

O'Brien: I move that H. B. No. 151 be printed and placed on General Orders. Motion carried.

Bernard: I move that H. B. No. 151 be read. Motion carried.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, January 30, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Taylor: "An Act to provide for the appointment by the Supreme Court of three commissioners, to be known as Commissioners for the Revision of Civil Procedure, and to provide clerical assistants therefor, and directing said commissioners to revise, abridge or simplify the code of Civil Procedure, in order to relieve litigants from costly and vexatious procedural delays and to make legal and equitable remedies more readily available."

By Kane: "An Act to amend Section 1 of Chapter 44 of the Session Laws of the Eleventh Legislative Assembly found at page 53, an Act to provide for the payment of the actual expenses of County Assessors incurred in the performance of official duty."

By Stevens: "An Act to establish a Grain Inspection laboratory at the Montana Grain laboratory; and to define the aim and scope of the work to be proposed; and providing for the administration, and to make appropriations for the maintenance thereof."

By Gallwey: "An Act to prohibit any person from knowingly buying, selling, receiving, disposing of or concealing, or having in his possession, any automobile, motor car or motor vehicle from which the manufacturers serial number, or any other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed, for the purpose of concealment or misrepresenting the identity of such automobile, motor car or motor vehicle, and providing punishment for the violation of the provisions hereof."

By Morris: "An Act regulating the forwarding of negotiable instruments for collection."

By Healy: "An Act to provide a method of voting at General and Primary Elections, and General and Special Municipal Elections, by Electors absent, or expecting to be absent, on the day of any such election from the county in which they are electors, and making regulations regarding such voting."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 30th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committee with recommendations:

Committee on Public Buildings reported Senate Bill No. 73, introduced by Burla, entitled, "An Act to provide for the appointment of a custodian for the State Capitol, fixing his term of office; defining his duties, powers and authority; and to repeal Section 157, Article 5, of Chapter 3 of the Political Code of the State of Montana," with the recommendation that the Bill be amended as follows: Amend the title of said Bill to read as follows: A Bill for an Act entitled, "An Act making the head janitor at the State Capitol custodian of all state property at the State Capitol; providing for the appointment of the head janitor and fixing his powers and duties and salary, and repealing Section 157, Article 5, Chapter 3 of the Political Code of the State of Montana."

Amend Section 1 to read as follows: "Section 1. The head janitor at the State Capitol shall be custodian of all State property at the State Capitol. Said head janitor and custodian shall be appointed by the Governor and shall receive a salary of Two Thousand Dollars (\$2,000.00) per year." And as so amended, recommend that the Bill do pass. Report adopted.

Committee on Federal Relations reported House Joint Memorial No. 2, entitled "A Resolution memorializing Congress to relinquish and cease to exercise its jurisdiction over the Missouri and Yellowstone rivers in the State of Montana," with the recommendation that same do pass. Report adopted.

Committee on Federal Relations reported House Joint Resolution No. 2, entitled "A Resolution memorializing Congress for the passage of hydro-electric power legislation that will enable the Government to lease power sites to private legitimate enterprises under proper rules and regulations," recommending that same do pass. Report adopted.

Committee on Federal Relations reported House Joint Resolution No. 1, entitled "A Resolution memorializing Congress for an appropriation of one million dollars for the Flathead Irrigation project for the ensuing year," recommending that same do pass. Report adopted.

Committee on Judiciary reported Senate Bill No. 85, introduced by Smith, entitled, "An Act relating to the powers and duties of justices of the peace, and fixing their compensation," with the recommendation that it do pass. Report adopted.

Committee on Committees reported the following members as a committee to investigate the State land office: Annin, Roberts, Clark. Report adopted.

Committee on Judiciary reported Senate Bill No. 69, introduced by Edwards, entitled, "An Act to amend Section 3146 of the Revised Codes of Montana of 1907, relating to fees for naturalization and disposition of same," with the recommendation that it do pass. Report adopted.

Committee on Judiciary reported Senate Bill No. 79, introduced by Stevens, entitled, "An Act to amend Section 3 of Chapter 52 of the Laws of 1913, relating to the establishment of the Public Service Commission of Montana, and prescribing its powers and duties, with reference to the jurisdiction of the said commission over certain public utilities," with the recommendation that it do pass. Report adopted.

Committee on Enrollment reported that on January 29th, 1917, at 3:30 P. M., the committee transmitted to his Excellency, the Governor, the enrolled copies of Senate Joint Memorial No. 1, and received the dated receipt of his private secretary therefor. Report adopted.

Committee on Printing reported Senate Bill No. 16, correctly printed. Report adopted.

Committee on Counties, Towns and Municipal Corporations reported Senate Bill No. 88, introduced by Gallwey, entitled, "An Act to repeal Section 9 of Chapter 73 of the Laws of the Thirteenth Legislative Assembly concerning the regulation of motor vehicles by local authorities," with the recommendation that it do pass. Report adopted.

Committee on Irrigation and Water Rights reported House Joint Resolution No. 4, entitled, "A Resolution memorializing Congress for the passage of an appro-



priation of \$10,000 to dredge Polson bay on Flathead lake of this State," with the recommendation that the Resolution be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 30, 1917.

(Afternoon Session.)

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were reported from the Standing Committees with recommendations:

Committee on Education reported Senate Bill No. 72, introduced by Ellingson, entitled, "An Act requiring the Scandinavian language to be taught at the State University at Missoula," with the recommendation that it do not pass. Report adopted.

Committee on Education reported Senate Bill No. 6, introduced by Lane, entitled, "An Act to amend Sections 302 and 303 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly, 1913, and Section 3195 of the Revised Codes of 1907, relating to County Superintendents, their duties and their expenses," with the recommendation that Subdivision 19 of Section one be stricken out and that the following be inserted in lieu thereof:

"19. Clerk and Deputy. The County Commissioners of counties having not less than one hundred and fifty teachers, are authorized to appoint deputy other than the clerk, from a list furnished by the county superintendent. Such deputy shall hold a professional grade certificate; and shall be paid a salary of one hundred and twenty-five (\$125.00) dollars per month and actual traveling expenses." That the words "and they may in their discretion, upon his request, also furnish him for the public schools in this county, useful maps, charts and models," as they appear in Section 2, after the word "passage" in line 3, be stricken out; and recommending that the Bill as so amended do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 30, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second times, and referred as follows:

H. B. No. 62, introduced by Murray: "An Act to amend Section 3246 of the Revised Codes of Montana of 1907, relating to salary of clerk." Referred to Committee on Counties and Towns.

H. B. No. 80, introduced by Holt: "An Act to amend and re-enact Section 7166 of the Revised Codes and providing for the assessment of an attorney's fee in actions for the foreclosure of liens of mechanics and others upon real property." Referred to Committee on Judiciary.

H. B. No. 68, introduced by Ashby: "An Act to amend an Act entitled, 'An Act to amend Sections 8, 10, 53, 54, 55, 56, 57 and 61 of Chapter 147 of the Montana Session Laws of 1909,' Referred to Committee on Public Lands.

H. B. No. 67, introduced by Wheat: "An Act to regulate the giving or furnishing of stamps, coupons, tickets, certificates, cards, gifts or premiums, etc." Referred to Committee on Judiciary.

H. B. No. 58, introduced by Baxter: "An Act to amend Sections XXIV and XXV of Chapter 147 of the Laws of the Eleventh Legislative Assembly, 1909, entitled, "An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, etc." Referred to Committee on Judiciary.

H. B. No. 74, introduced by Working: "An Act to authorize and empower any city or town organized under the Laws of Montana to receive and take by gift, donation, grant, devise or bequest, any property, etc., and authorizing the giving of same, etc." Referred to Committee on Counties and Towns.

House Joint Memorial No. 2, introduced by Harbert: "A petition to Congress for a biological survey of Flathead, Whitefish and Swan Lakes." Referred to Committee on Federal Relations.

Respectfully,

J. F. CONE, Secretary of the Senate.



Senate Chamber, January 30, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day introduced, read first and second times, and referred as follows:

S. B. No. 95, Slayton: "An Act to amend Section 8492 of the Revised Codes of Montana, 1907, relative to the sale of carcasses of animals affected with an infectious contagious disease." Referred to Committee on Sanitary Affairs.

S. B. No. 96, Meadors: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 9 of Article 12, of the Constitution of the State of Montana as amended by the people of the State of Montana at the general election held in November, 1910, relating to revenue and taxation." Referred to Committee on Taxation.

S. B. No. 97, Jones: "An Act to restrain persons convicted by jury in a court of record of unlawfully practicing medicine, surgery, osteopathy, dentistry or optometry, from further practice until such persons shall have been lawfully admitted to practice." Referred to Committee on Sanitary Affairs.

S. B. No. 98, Meadors: "An Act permitting additional assessments by Water Users associations in cases where the benefits of previous assessment have not accrued to the lands assessed, and providing for discharge of such previous assessments, and that all such additional assessments shall be equitable." Referred to Committee on Irrigation and Water Rights.

S. B. No. 99, Whiteside: "An Act to permit co-operative associations organized under the laws of the State of Montana, to consolidate their interests and capital stock and designating the procedure to be followed to effect such consolidations." Referred to Committee on Agriculture.

S. B. No. 100, Gnose: "An Act to establish and create a general fish and game law for the State of Montana; to codify and arrange all of said laws now in force relating to fish and game which are not repealed or amended hereby and re-enacting such laws as are not in conflict herewith, to amend an Act approved March 9, 1909, relating to hunting and fishing licenses: and repealing Chapter 81 of the Laws of 1909, relating to the killing of certain animals; to amend an Act approved February 25, 1915, relating to licenses and the time of the expiration thereof; and also to amend an Act approved March 13, 1913, relating to game fish, known as Chapter 79 of the Laws of 1913; etc., etc." Referred to Committee on Fish and game.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Stimpert, House recessed at 12:15 o'clock until 1:00 P. M.

#### AFTERNOON SESSION.

House resumed at 1:00 o'clock P. M.

Mr. Speaker in the chair.

Hurd from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 22, 24, 81, 109, 112, 6, 108, 113, 127, 128 and House Joint Memorial No. 5, beg leave to report that same have been correctly printed, together with the books of Rules and Order and Standing Committee cards. Report adopted.

#### THIRD READING OF SENATE BILLS.

S. B. No. 4, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Booth, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Henderson, Henry, Higgins, Huffaker, Hurd, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Prosser, Rainey, Rasmusson, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Weil, Wheat, White, Working, Mr. Speaker—76.

Noes: None.

Absent and not voting: Belden, Blodgett, Brooks, Buell of Gallatin, Cotter, Crismas, Flanigan, Griffin, Harmon, Hawks, Holt, Husser, Ingalls, Lanstrum, McMahon, McMillan, Morris, Quaintance, Ward—19.

Title agreed to and Bill returned to Senate.

S. B. No. 22, having been read three several times, was concurred in as amended by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmusson, Sand, Scott, Searles, Sektnan, Shaw, Spain, Weil, Wheat, White, Working, Mr. Speaker—80.

Noes: Jensen, Stimpert—2.

Absent and not voting: Cotter, Crismas, Eaton, Flanigan, Griffin, Harmon, Holt, Husser, Ingalls, Lanstrum, McMahon, McMillan, Ward—13.

Title agreed to and Bill transmitted to Senate for concurrence in House amendment.

S. B. No. 30, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henry, Higgins, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmusson, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White, Working, Mr. Speaker—84.

Noes: None.

Absent and not voting: Cotter, Flanigan, Griffin, Harmon, Henderson, Holt, Husser, Lanstrum, McMillan, Sand, Ward—11.

Title agreed to and Bill returned to Senate.

S. B. No. 36, having been read three several times, was concurred in as amended by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White, Working, Mr. Speaker—83.

Noes: None.

Absent and not voting: Belden, Buchanan, Cotter, Flanigan, Griffin, Harmon, Holt, Husser, McMillan, Middleton, Rasmussen, Ward—12.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

### THIRD READING OF HOUSE BILLS.

H. B. No. 42, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Burnworth, Carll, Clark, Connolly, Crismas,

Crowley, Davis, Deibel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Spain, Ward, Weil, Wheat, Working, Mr. Speaker—82.

Noes: Demel, Gould, Sektnan—3.

Absent and not voting: Buchanan, Cotter, Flanigan, Harmon, Holt, Husser, Morris, Shaw, Stimpert, White—10.

Title agreed to.

Carll: I move that H. B. No. 42 be re-referred to General Orders.

Lusk: I move that motion to reconsider be laid on the table.

Motion to lay on table carried and H. B. No. 42 transmitted to Senate.

H. B. No. 103, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—88.

Noes: None.

Absent and not voting: Belden, Buchanan, Flanigan, Griffin, Harmon, Holt, Huffaker—7.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Belden, House resolved itself into a Committee of the Whole for the consideration of General Orders.

#### GENERAL ORDERS.

Mrs. Hathaway in the Chair.

House resumed.

Mr. Speaker in the Chair.

Hathaway from the Committee of the Whole reported as follows:

Mr. Speaker: Your Committee of the Whole, to whom was referred House Bills numbered 72 and 50, beg leave to report as follows:

Having had under consideration H. B. No. 72, introduced by Bernard, entitled, "An Act to prohibit the driving, placing or imbedding of spikes, nails or other metallic substances, stone or rock, in saw logs intended for manufacture into lumber or other timber products, and prescribing the penalty therefor," report same back to the House with the recommendation that Section 1 thereof be amended by inserting in line 2, after the word "rock," the words "with malicious intent," and that as amended Bill do pass.

Also, having had under consideration H. B. No. 50, introduced by Farmer, entitled, "An Act to amend Section 3114 of the Revised Codes of 1907, relating to justices of peace practicing law, allowing persons who have been admitted to practice law by the Supreme Court of the State of Montana, to hold the office of justice of the peace; prohibiting such persons from practicing law in the justice court, except the official duties of the justice of the peace, and prohibiting them from conducting any cases or proceedings on appeal originating in the justice of peace court," report same back to the House with the recommendation that it do pass.

Report adopted and Bills were referred to the Engrossing Committee.

On motion of Page, House reverted to Fifth Order of Business.

## INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 181, introduced by Page: A Bill for an Act entitled, "An Act to amend Section 1 of Chapter 45 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, 'An Act to provide for library extension through the establishment and maintenance of county free libraries.'" Read first and second times and referred to Committee on Education.

H. B. No. 182, introduced by Ironside: A Bill for an Act entitled, "An Act to prohibit deputy State officers and other employees of the State from engaging in business that will cause unfair competition; to prevent such persons who travel at the expense of the State from engaging in the business of purchasing, selling, storing or manufacturing articles of commerce, farm, dairy or other products, or engaging in the business of insurance, bonding, trading, manufacturing or other lines of business or occupation, save and except the duties required of them by law, and to prevent said State officers and employees from acting as agents of those who are engaged in said pursuits and industries, and to punish those who violate the provisions of this Act." Read first and second times and referred to Judiciary Committee.

On motion of Cotter, House reverted to Fourth Order of Business.

## REPORTS OF STANDING COMMITTEES.

On motion of Cotter, S. B. No. 15 was re-referred to the Committee on Judiciary for correction.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 138, introduced by Searles, being a Bill for an Act entitled, "An Act to appropriate money for the maintenance, improvement and operation of the fish hatcheries of the State of Montana and for the expense of the Montana Fish Commission, and purchase of equipment," having had said Bill under consideration, hereby beg leave to report same back to the House with the following amendments:

Amend Section 2 of said Bill by striking out the word "Summers" in line 25, page 1 of said Bill, and inserting in lieu thereof the word "Somers."

Amend Section 3 of said Bill by striking out the word "Summers" in line 11, page 2 of said Bill, and inserting in lieu thereof the word "Somers."

Amend Section 4 of said Bill by striking out the words "Twenty Thousand Dollars (\$20,000.00)" in lines 17 and 18 of said Section 4, and inserting in lieu thereof the words "Seventeen Thousand Dollars (\$17,000.00)."

Amend Section 5 of said Bill by striking out the word "Summers" in line 25 of said Section, and inserting in lieu thereof the word "Somers."

And that said Bill, after being amended, do pass.

Report adopted and Bill referred to Printing Committee.

On motion of Lemmon, House adjourned at 2:05 P. M. until 11:00 o'clock A. M. Thursday, February 1, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## THIRTY-SECOND DAY

Thursday, February 1, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present; Farmer and Harmon excused.

Ironside, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the thirty-first day and find the same to be correct. Report adopted.



## COMMUNICATIONS AND PETITIONS.

A communication was received from the Young Men's Democratic Club of Silver Bow County, protesting against the levying of a tax on the mining industry.

Communication referred to Special Tax Committee.

A communication, addressed to the Silver Bow County Representatives, was also received from the Young Men's Democratic Club of that county, petitioning an amendment of the primary law, further petitioning the passage of a Bill which would permit the consolidation of county and city governments, and urging upon the Silver Bow delegation the necessity for a reapportionment of the State, in order that Silver Bow county may be more fairly represented in the State Legislature.

Communication referred to Special Committee on Primary Election Laws.

## NOTICES OF BILLS.

By Belden: "An Act repealing Section 2778 of the Revised Codes of Montana of 1907, being a part of an Act providing for licensing of architects, builders and contractors and manufacturers.

By McMahon: "An Act relating to and providing for the inspection and regulation of mines of all kinds in the State of Montana, devolving upon the Industrial Accident Board the powers and duties of the Coal Mine Inspector and of the Inspector of Mines, providing for the performance of the duties of said inspectors by the said Industrial Accident Board, and by inspectors to be appointed by it, abolishing the offices of Inspector of Mines and Coal Mine Inspector and repealing laws in conflict herewith."

By Judiciary Committee: "An Act amending Section 6784 of the Revised Codes of Montana of 1907, as amended by Chapter 135 of the Session Laws of 1915, and relating to exceptions."

By McMahon: "An Act relating to and providing for the inspection of boilers and the regulation of the use thereof, the examination and licensing of engineers, the revocation of such licenses, devolving upon the Industrial Accident Board the powers and duties of the Inspector of Boilers and of the Assistant Inspector of Boilers, providing for the performance of the duties of said inspectors by said Industrial Accident Board and by inspectors to be appointed by it, abolishing the offices of Inspector of Boilers and of Assistant Inspector of Boilers, and repealing laws in conflict herewith."

By Rasmussen: "An Act providing for an attorney's fee to be taxed as costs in actions in justice courts."

By Brooks: "An Act to provide for the construction of a fish hatchery for the propagation of food fish and other fish in Park County, Montana, and to appropriate money therefor."

By Gullidge: "An Act establishing the Southeastern Montana State Normal School, designating the site, and defining the objects of its establishment, providing for the control, supervision and management thereof, and making an appropriation for the construction of the necessary buildings and the support and maintenance thereof."

By Huffaker: "An Act to amend Section 2651 of the Revised Codes of Montana of 1907, relating to notice of application for tax deed."

By Eaton: "An Act defining how mileage shall be computed."

By Eaton: "An Act defining mileage that may be collected by witnesses from another State or Country."

By Eaton: "An Act providing how many times per week Orders, Rules, Summons, and Notices of all kinds, shall be published when not otherwise prescribed."

By Hathaway: "An Act to amend Section 8381 of the Revised Codes of Montana, entitled, 'Penalty for selling cigarettes to minors,' and adding a new Section prohibiting the use of cigarettes, cigars or tobacco by minors and providing for penalties for violations thereof."

By Andrew: "An Act to provide for the vacation of streets and alleys or portions thereof, in incorporated cities and towns in the State of Montana."

## REPORTS OF STANDING COMMITTEES.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report House Bill No. 31, being a Bill for an Act entitled, "An Act to amend Section 6870e of the Revised Codes of Montana, enacted in Chapter 113 of the Laws of 1915, so as to avoid the necessity of taking oral testimony before securing an order for publication of summons in an action to quiet title," as being correctly enrolled. Report adopted.

The following majority report was received from the Committee on Agriculture:

Mr. Speaker: We, a majority of your Committee on Agriculture, having had under consideration House Bill No. 155, introduced by White, Sektnan, Holt and Bernard, a Bill for an Act entitled, "An Act to create herd districts and prevent live stock running at large in established herd districts and to provide for the fixing and collection of damages from stock trespassing within the boundaries of such districts and repealing all Acts and parts of Acts in conflict herewith," report same back to the House with the recommendation that it do pass, amended as follows:

That the words "thirty-six square miles" in line 2 of Section 1 of said Bill, be stricken out and the words "one hundred forty-four square miles lying not less than twelve miles square except as provided herein," be inserted in lieu thereof.

That the words "freeholders or homesteaders" in line 4 of Section 1 of said Bill be stricken out and the words "qualified electors" be inserted in lieu thereof.

That after the word "homesteaders" in line 4 of Section 1 of said Bill the words "who are residents in the proposed county herd districts" be stricken out and the words "residing upon land thirty-five per cent or more of which is assessed as tillable land," be inserted in lieu thereof.

That the word "or" in line 13 of Section 1 of said Bill be stricken out and the word "on" be inserted in lieu thereof.

That the words "freeholders or homesteaders" in line 18 of Section 1 of said Bill be stricken out and the words "qualified electors" be inserted in lieu thereof.

That the words "freeholders and homesteaders" in line 5 of Section 4 of said Bill be stricken out and the words "qualified electors" be inserted in lieu thereof. That Section 9 of said Bill be stricken therefrom.

(Signed) DAVIS, Chairman,  
W. W. SPAIN,  
G. W. LARSE,  
V. R. HENRY,  
H. S. BUELL,  
C. H. BURNWORTH,  
A. U. SAND,  
M. SEKTNAN,  
J. A. HAWKS.

Report adopted.

The following minority report was received from the Committee on Agriculture:

Mr. Speaker: We, the undersigned members of the Committee on Agriculture, beg leave to submit a report on behalf of the minority of said Committee, and recommend that House Bill No. 155 be re-referred to the Committee on Livestock and Public Ranges.

(Signed) KELSEY,  
HENDERSON,  
WALLACE A. BENT.

Report lost by following vote and referred to Printing Committee.

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Bel-den, Bent, Blake, Blodgett, Brooks, Clark, Connolly, Crowley, Deibel, Duffy, Fuller, Gould, Grimes, Gullidge, Henderson, Huffaker, Ironside, Johnson of Deer Lodge, Kelsey, Lanstrum, Lemmon, Lewis, Lusk, McDonald, McMahon, Morris,

O'Brien, Prosser, Quaintance, Rainey, Rasmussen, Searles, Shaw, Ward, Wheat, Working—42.

Noes: Andersen (Charles), Baldwin, Bernard, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Cotter, Crismas, Davis, Demel, Dodds, Eaton, Eliel, Fishbaugh, Griffin, Harbert, Hathaway, Hawks, Henry, Higgins, Holt, Husser, Hurd, Ingalls, Jensen, Johnston of Ravalli, Jones, Kehoe, Kemmis, Larse, McClory, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, Page, Phelps, Sand, Scott, Sektnan, Spain, Stimpert, Weil, White, Mr. Speaker—50.

Absent and not voting: Farmer, Flanigan, Harmon—3.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, having had House Bills Nos. 36, 4 and 84, beg leave to report same correctly printed. Owing to the length of one of these Bills and the short session yesterday afternoon, we were unable to include them in yesterday's report. Through the Chief Clerk and our Committee it was decided to give them a place in general orders among the other Bills received by us at the same time. We wish to know the pleasure of the House.

Report adopted and Bills placed on General Orders.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 23, 29, 50, 71, 72 and 98, beg leave to report same back as correctly engrossed.

Report adopted and Bills placed on third reading.

Duffy, from the Committee on Federal Relations, reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 1, introduced by Bernard, "Memorializing the Congress of the United States to make an appropriation for the improving of the outlet of Flathead Lake for the purpose of relieving and abating flood conditions during high water periods," respectfully beg leave to report as follows: That same do pass, as amended.

Report adopted and Memorial referred to Printing Committee.

Murray, from the Committee on Labor, reported as follows:

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 132, introduced by Murray, a Bill for an Act entitled, "An Act to regulate the hours of continuous employment of firemen in cities of the first and second class," respectfully beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Deibel, from the Committee on State Institutions and Public Buildings, reported as follows:

Mr. Speaker: We, your Committee on State Institutions and Public Buildings, having had under consideration House Bill No. 105, introduced by P. N. Bernard, a Bill for an Act entitled, "An Act to amend Section 1288 of the Revised Codes relating to the commandant, rules, salaries, officers of the Montana Soldiers' Home," respectfully beg leave to report as follows: That Bill do not pass. Report adopted.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 152, introduced by Ward, entitled, "An Act to amend Section 3342 of the Revised Codes of 1907, as amended by Chapter 103 of the Session Laws of 1911, relating to the amount of taxes to be assessed and levied by municipalities for general municipal and administrative purposes, and for the purpose of maintaining public parks," report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: Your Committee on Ways and Means, to whom was referred Senate Bill No. 52, introduced by Kinney, entitled, "A Bill for an Act entitled, 'An Act to provide for the issue and sale of bonds by the State Board of Examiners of the State of Montana, for refunding capitol building bonds of the

State of Montana,'” respectfully beg leave to report as follows: That this Bill be referred to the House for concurrence.

Report adopted and Bill placed on General Orders.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, having had House Bills Nos. 133, 79 and 63 under date of January 30, beg leave to report them to you correctly printed.

Report adopted and Bills placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 157, by Henderson, a Bill for an Act entitled, “An Act to amend Sections 1, 2 and 3 of Chapter 139 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, providing for the creation, organization and classification of new counties, for locating county seats and for the election and appointment of officers,” respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 15, by Lane, a Bill for an Act entitled, “An Act to amend Section 9289 of the Revised Codes of Montana, 1907, relating to evidence necessary to convict of crime of obtaining money or property by false pretense,” respectfully beg leave to report as follows: That it be amended by adding the name of Representative Cotter as one of the authors, and as amended it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 7, by Lane, “An Act dividing the State into two Congressional districts and amending Section 47, Montana Revised Codes, 1907,” respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

#### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 183, introduced by Oscar Anderson: A Bill for an Act entitled, “An Act authorizing the assignment by County Treasurers of duplicate certificates of tax sale issued to Counties on sales of property for taxes.” Read first and second times and referred to Committee on Judiciary.

H. B. No. 184, introduced by Blake: A Bill for an Act entitled, “An Act to regulate and govern the sanitary conditions under which wall paper, or substitute wall covering, shall be placed on the walls of rooms in tenement houses, or other houses owned or maintained for rent, and to make a violation of any of the provisions of this Act a misdemeanor.” Read first and second times and referred to Committee on Sanitary Affairs.

H. B. No. 185, introduced by Stimpert: A Bill for an Act entitled, “An Act to amend Section 4466 of the Revised Codes of Montana of 1907, relating to the length of time valid leases on city lots may be given.” Read first and second times and referred to Committee on Judiciary.

H. B. No. 186, introduced by Sektnan: A Bill for an Act entitled, “An Act requiring the Scandinavian languages to be taught at the State University at Missoula, and at the Agricultural College at Bozeman.” Read first and second times and referred to Committee on Education.

H. B. No. 187, introduced by Kemmis: A Bill for an Act entitled, “An Act to establish a State Normal College at Sidney, Richland County, Montana, which shall be known as the Eastern Montana State Normal College, to make the same a part of the University of Montana, and to provide an appropriation with which to build and equip same, and to provide for the maintenance and operation of said College.” Read first and second times and referred to Committee on Appropriations.



H. B. No. 188, introduced by Higgins: A Bill for an Act entitled, "An Act defining and prohibiting blacklisting and unlawful interference with laborers, and providing for the punishment thereof and the recovery of damages therefor, and defining what shall be accepted as evidence in blacklist cases." Read first and second times and referred to Committee on Judiciary.

H. B. No. 189, introduced by Holt: A Bill for an Act entitled, "An Act requiring collection agencies to give a bond, and providing a penalty for failure to do so." Read first and second times and referred to Committee on Judiciary.

H. B. No. 190, introduced by Carl: A Bill for an Act entitled, "An Act to amend subdivision 2(a) and 2(b) of Section 502, Chapter 76, of the Session Laws of Montana, of 1913, providing how candidates for the office of Trustee of School Districts may be nominated and repealing subdivision 3(a) of Section 502 of Chapter 76, of the Session Laws of Montana of 1913." Read first and second time and referred to Committee on Judiciary.

On motion of Stimpert, House recessed at 12:05 P. M. until 1:30 P. M.

#### AFTERNOON SESSION.

House reassembled at 1:30 P. M.

Mr. Speaker in the chair.

Mr. Speaker notified the House that he was about to sign H. B. No. 31, introduced by Demel, a Bill for an Act entitled, "An Act to amend Section 6870e of the Revised Codes of Montana, enacted in Chapter 113 of the Laws of 1915, so as to avoid the necessity of taking oral testimony before securing an order for publication of summons in an action to quiet title," and signed same in the presence of the House.

#### MOTIONS AND RESOLUTIONS.

On motion of Bernard, H. B. No. 72 was referred to General Orders.

Blodgett: I move that when a Bill is reported from any committee and such Bill has been amended in committee, unless said report contains the proposed amendments, the same shall not be adopted by the House. Motion carried.

Fuller submitted the following Resolution:

WHEREAS, The Honorable Jerry J. Flanigan, a distinguished member of this House, is confined to his room by illness, and

WHEREAS, This illness has caused an enforced absence from his duties as a member of the House of Representatives of the Fifteenth Legislative Assembly,

THEREFORE, BE IT RESOLVED, That the House of Representatives express its sympathy to the Honorable Jerry J. Flanigan, with the hope that he will soon recover and be enabled to take up his duties, and that it be

FURTHER RESOLVED, That the Chief Clerk be instructed to mail a copy of these resolutions to the Honorable Jerry J. Flanigan. Resolution adopted.

On motion of Belden, Mr. Speaker appointed the following select committee to wait upon the Attorney General to see if an opinion could not be obtained in regard to the right of the House to contract with Chas. Z. Pond for the compiling and printing of the House Journal: Belden, Lemmon, White.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

Senate Chamber, Helena, Montana, January 31, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were reported from the Standing Committees with recommendations:

Committee on Sanitary Affairs reported Senate Bill No. 10, introduced by Annin, entitled "An Act to amend Section II of Chapter 50 of the Session Laws of the Thirteenth Legislative Assembly, relative to the establishment of a Board of Examiners for nurses and providing for the issuance of a license or certificate of registration to persons engaged in the profession of nursing the sick," recommending that the same be amended as follows: Amend by inserting the words "provided that" at the beginning of the second paragraph of Section 2, and by adding the following at the end of Section 2: "In case of a jury trial, said jury shall consist of three nurses and three doctors," and as amended recommend the same for passage. Report adopted.

Committee on Printing reported Senate Joint Resolution No. 3, as correctly printed; also Senate Bills Nos. 5 and 8 as correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 31, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second time and referred as follows:

H. B. No. 70, introduced by Kehoe, entitled, "An Act providing how penalties and interest on delinquent taxes and assessments shall be apportioned." Referred to Committee on Judiciary.

H. B. No. 87, introduced by Belden, entitled, "An Act to provide for an additional judge for the Tenth Judicial District of the State of Montana so that there will hereafter be two judges in said district." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 31, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bill was this day reported from the Standing Committee with recommendations:

Committee on Public Morals reported Senate Bill No. 75, entitled, "An Act relating to intoxicating liquors, prohibiting the soliciting and taking of orders therefor, the advertisement thereof, declaring certain places to be nuisances and providing for their abatement, regulating the transportation thereof, and providing for the search and seizure and destruction thereof, prescribing the powers and duties of certain officers, providing for the removal of certain officers for failure, neglect or refusal to perform their duties, prescribing the forms of procedure and the rules of evidence in actions and proceeding under the laws relating to intoxicating liquor, prohibiting the soliciting and taking of orders therefor, the advertisement thereof, declaring certain places to be nuisances and providing for their abatement, regulating the transportation thereof, and providing for the search and seizure and destruction thereof, prescribing the powers and duties of certain officers, providing for the removal of certain officers and failure, neglect or refusal to perform their duties, prescribing the forms of procedure and the rules of evidence in actions and proceeding under the laws relating to intoxicating liquors and fixing the penalties for violations thereof," recommending that the Bill be amended as follows: Add to Section 4, the following: "Or to possess or receive any intoxicating liquor except as provided in this Act."

Add to Section 5, the following: "Or to purchase or order any intoxicating liquor except as provided in this Act." But any affidavit or testimony given by any person purchasing or ordering such prohibited liquors shall not be used against the person so testifying or making such affidavit," and that the Bill as amended do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 31, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day recommended favorably by Committee of the Whole, placed on Calendar for third reading: House Joint Resolution No. 1, House Joint Resolution No. 2, House Joint Resolution No. 4, House Joint Memorial No. 2.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, January 31, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Williams: "An Act to amend Sections 1 and 3 of Chapter 86 of the Laws of the Fourteenth Legislative Assembly, being an Act to provide for financial aid in the care of dependent children in their own homes under the direct control of the mothers of such children, whose fathers are dead or inmates of some Montana State Institution of Charity or Correction or who are physically or mentally

unable to provide for said children, or whose mothers are solely dependent upon their labor for support."

By Featherly: "An Act to amend Sections 2139 and 2140 of the Revised Codes of the State of Montana, relating to dams and reservoirs."

By Smith: "An Act to amend Section 8295 of the Revised Codes of Montana, 1907, relating to manslaughter."

By Smith: "An Act to establish a game preserve in the Rocky Mountains, to be known as the Twin Buttes Game Preserve, for the protection of game birds and animals, and providing a penalty for killing, hunting or pursuing any such animals or birds in such preserve."

By Smith: "An Act to amend Section 4948 of the Revised Codes of Montana, 1907, relating to payment of other performance of obligations."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, January 31, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 101, Morris: "An Act regulating the forwarding of negotiable instruments for collection." Referred to Committee on Judiciary.

S. B. No. 102, Williams: "An Act authorizing the State Board of Prison Commissioners to adopt rules and regulations allowing additional good time in addition to that provided by statute for good conduct to convicts employed on public roads or other public work, and providing a penalty for the violation of such rules." Referred to Committee on Judiciary.

S. B. No. 103, Taylor: "An Act to provide for the appointment by the Supreme Court of three commissioners to be known as Commissioners for the revision of Civil Procedure, and to provide clerical assistants therefor, and directing said commissioners to revise, abridge or simplify the Code of Civil Procedure, in order to relieve litigants from costly and vexatious procedural delays and to make legal and equitable remedies more readily available." Referred to Committee on Judiciary.

S. B. No. 104, Galloway: "An Act to prohibit any person from knowingly buying, selling, receiving, disposing of or concealing, or having in his possession, any automobile, motor car or motor vehicle, from which the manufacturer's serial number, or any other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed, for the purpose of concealment or misrepresenting the identity of such automobile, motor car or motor vehicle, and providing punishment for the violation of the provisions hereof." Referred to Committee on Counties and Towns.

S. B. No. 105, Hogan: "An Act amending subdivision 1 of Section 14 of Chapter 89 of the Session Laws of 1913, and providing that assessments to defray cost of construction of sewers may be based upon the assessed valuation of the lots and parcels of land included within the improvement district formed for the construction of such improvements." Referred to Committee on Counties and Towns.

S. B. No. 106, Stevens: "An Act to establish a grain inspection laboratory at the Montana Grain laboratory; and to define the aim and scope of the work to be proposed; and providing for the administration and to make appropriation for the maintenance thereof." Referred to Committee on Agriculture.

S. B. No. 107, Whiteside: "An Act to amend Chapter 68 of the Session Laws of the Fourteenth Legislative Assembly, fixing the hours during which saloons and places where intoxicating liquors are sold may remain open and prescribing penalties for violations of said Act." Referred to Committee on Counties and Towns.

S. B. No. 108, Committee on Irrigation and Water Rights: "An Act to amend and re-enact Sections 1, 4, 11, 30, 35 and 48 of Chapter 146 of the Montana Session Laws, 1909; and Sections 2 and 11 of Chapter 145 of the Montana Session Laws, 1915, relating to the creation, organization, government and change in the area of irrigation districts." Referred to Committee on Irrigation and Water Rights.



S. B. No. 109, Oliver: "An Act to amend Subdivision 4 of Section 507 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the powers of school trustees to conduct night schools." Referred to Committee on Education.

Respectfully,

J. F. CONE, Secretary of the Senate.

### THIRD READING OF HOUSE BILLS.

H. B. No. 50, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Gallatin, Carll, Clark, Connolly, Cotter, Crowley, Demel, Dodds, Duffy, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Henry, Higgins, Holt, Huffaker, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Lanstrum, Lemmon, Lewis, McClory, McMahon, Mason, Morris, Morrow, Murray, Rainey, Scott, Searles, Spain, Weil, Wheat, Working, Mr. Speaker—55.

Noes: Ashby, Buell of Missoula, Buchanan, Burnworth, Crismas, Davis, Deibel, Eaton, Eliel, Hawks, Henderson, Hurd, Husser, Ingalls, Johnston of Ravalli, Kelsey, Kemmis, Larse, Lusk, McDonald, McMillan, McQuarrie, Middleton, Page, Phelps, Prosser, Quaintance, Rasmusson, Sand, Sektnan, Shaw, Stimpert—32.

Absent and not voting: Farmer, Flanigan, Harmon, Hathaway, Jones, O'Brien, Ward, White—8.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 23, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmusson, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—91.

Noes: None.

Absent and not voting: Farmer, Flanigan, Harmon, Jones—4.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 71, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Rasmusson, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, White, Working, Mr. Speaker—76.

Noes: Anderson (Oscar W.), Baxter, Clark, Crismas, Deibel, Henry, Higgins, Lusk, Page, Quaintance, Rainey, Shaw, Wheat—13.

Absent and not voting: Arneson, Farmer, Flanigan, Harmon, Jones, McMillan—6.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 98, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Belden,



Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hathaway, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmusson, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—85.

Noes: Andersen (Charles), Gould, Hawks, Kemmis—4.

Absent and not voting: Arneson, Blodgett, Farmer, Flanigan, Harmon, Sand—6.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 29, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Baldwin, Ball, Bent, Blodgett, Booth, Brooks, Buell of Gallatin, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Fuller, Gould, Griffin, Grimes, Harbert, Hathaway, Hawks, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Jones, Kehoe, Lanstrum, Larse, Lewis, McMillan, Mason, Morris, Murray, Page, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Ward, Working, Mr. Speaker—52.

Noes: Anderson (Oscar W.), Ashby, Baxter, Belden, Bernard, Blake, Buell of Missoula, Buchanan, Clark, Deibel, Eaton, Eliel, Fishbaugh, Gullidge, Henderson, Henry, Higgins, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Lemmon, Lusk, McClory, McDonald, McMahon, McQuarrie, Middleton, Morrow, O'Brien, Phelps, Prosser, Quaintance, Rasmussen, Spain, Stimpert, Weil, Wheat, White—39.

Absent and not voting: Arneson, Farmer, Flanigan, Harmon—4.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Searles, seconded by fifteen members, a call of the House was ordered. Roll called and Arneson and Blodgett found absent. They appeared on the floor of the House and on motion of McMahon further call was dispensed with.

On motion of Lemmon, House resolved itself into a Committee of the Whole for consideration of General Orders.

### GENERAL ORDERS.

Lemmon in the chair.

House resumed.

Mr. Speaker in the chair.

Lemmon from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, to whom was referred House Bills Nos. 112, 24 and 22, House Joint Memorial No. 5, and Senate Bills Nos. 38 and 18, beg leave to report as follows:

Having had under consideration Senate Bill No. 38, introduced by O'Shea, entitled "An Act to authorize the investment of the permanent funds of the State in federal farm loan bonds and to amend the first Section of the initiated law passed by the people at the general election held November, 1914, by adding another section thereto authorizing the State Board of Land Commissioners to make such investment," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration Senate Bill No. 18, introduced by Wm. E. Jones, entitled, "An Act to amend Section 3178 of the Revised Codes of Montana, 1907, providing for the per diem and mileage of grand and trial jurors for attendance before courts of record," report same back to the House with the recommendation that Section 1 thereof be amended by inserting in line 3, before the word "receive" the word "shall," and that as amended, Bill be concurred in.

Also, having had under consideration H. J. M. No. 5, introduced by Hathaway, "Memorial to Congress to pass an amendment to the Federal Constitution and submit the same to the several states for ratification, prohibiting the manufacture

and sale of intoxicating liquors for use as a beverage, report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 112, introduced by Husser, entitled, "An Act to prevent infant blindness caused by the preventable disease known as ophthalmia neonatorum," report same back to the House with the recommendation that Section 4 thereof be amended by striking out in line 28 the word "township" and inserting in lieu thereof the word "county," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 24, introduced by Bernard, entitled, "An Act amending Section 459 of the Revised Codes of Montana, 1907, fixing the compensation of Boards of Election," report same back to the House with the recommendation that the same be amended by renumbering Sections 2 and 3 to read Section 3 and 4, and by inserting a new Section, to be known as Section 2, to read as follows: "Section 2. Sec. 3193 of the Revised Codes of Montana of 1907 is hereby repealed," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 22, introduced by Crismas, entitled, "An Act to provide for the semi-annual payment of property taxes at the option of each taxpayer and to provide and to fix penalties for the non-payment of taxes," report same back to the House with the recommendation that Section 6 thereof be amended by inserting in line 30 thereof the words "one year" after the word "effect" and that, as amended, Bill do pass.

Report adopted, and S. B. Nos. 38 and 18 placed on calendar for Third reading, and H. B. Nos. 112, 24 and 22 and H. J. M. No. 5 referred to Engrossing Committee.

Lemmon: I move that the House resolve itself into a Committee of the Whole for the consideration of General Orders. Motion lost.

On motion of Higgins, House adjourned at 4:05 P. M. until 10:00 o'clock A. M., Friday, February 2, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## THIRTY-THIRD DAY

Friday, February 2, 1917.

House met at 10:00 A. M., pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll called. All members present; Clark, Farmer and Harmon excused.

Blodgett from the Committee on Journal reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the Thirty-second day and find same to be correct. Report adopted.

### NOTICES OF BILLS.

By Murray: "An Act to amend Section 79 of Chapter 1, of the Revised Codes of the State of Montana, 1915, by inserting after the words 'Assistant Journal Clerk' the words 'Assistant Enrolling Clerk and Assistant Engrossing Clerk'."

By Prosser: "An Act to amend an Act entitled, 'An Act to prohibit unfair competition and discrimination and providing a penalty for the infraction of the provisions thereof.'"

By Bernard: "An Act providing for location of Northwestern Montana State Normal school, objects and purposes of school, providing for credits, appropriation, etc."

By Fishbaugh: "An Act to provide for uniform names of postoffices and railway stations in the State of Montana and empowering the Board of Railroad Commissioners of the State of Montana to change the names of railway stations within the State of Montana having similar names and providing a penalty for failure to conform to the order of such board."

By Fishbaugh: "An Act providing for a demurrage charge to be made to apply to both shippers, consignees and common carriers and providing the rate of charge."

By Working: "An Act authorizing the Board of Trustees of the State Law Library to appoint an Assistant Librarian in the State Law Library, prescribing his qualifications and providing for his compensation."

By Henderson: "An Act relating to funeral, burial and benefit associations and declaring them to be Insurance Corporations."

By Higgins: "An Act to equalize the opportunity for higher education to the youth of the State by authorizing the payment of traveling fare of students attending the institutions of University of Montana and making appropriation therefor."

By Higgins: "An Act relating to the construction, operation, use and maintenance of all electrical construction, appliances and apparatus, and providing a penalty for the violation thereof."

By Gould: "An Act providing for the levy and collection of a tax upon incomes to be known as the Income Tax Law of Montana."

#### REPORTS OF STANDING COMMITTEES.

Andrew from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 162, entitled, "An Act to prohibit the sale of intoxicating liquors in territory not embraced within the limits of incorporated cities or towns; providing for the enforcement thereof; prohibiting the issuance of licenses therefor; and prescribing penalties for its violation," beg leave to report as follows: We recommend that said Bill do not pass."

The following minority report was received from the Committee on Affairs of Cities:

Mr. Speaker: We, the minority members of your Committee on Affairs of Cities, having had under consideration House Bill No. 162, entitled, "An Act to prohibit the sale of intoxicating liquors in territory not embraced within the limits of incorporated cities or towns; providing for the enforcement thereof; prohibiting the issuance of licenses therefor; and prescribing penalties for its violation," beg leave to report as follows: We recommend that said Bill do pass.

(Signed) WALLACE A. BENT,  
EMMA INGALLS,  
CHAS. P. COTTER.

Minority report lost by a standing vote of 37 to 39 and majority report adopted.

Motion of Cotter, that H. B. No. 162 be printed, carried by following vote:

Ayes: Andersen (Charles), Arneson, Baldwin, Baxter, Belden, Bent, Bernard, Blake, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Cotter, Crismas, Davis, Demel, Eaton, Eliel, Gould, Griffin, Hathaway, Hawks, Higgins, Holt, Hurd, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Larse, Lemmon, McMillan, McQuarrie, Mason, Middleton, Morrow, Phelps, Rainey, Rasmusson, Sand, Scott, Sektnan, Stimpert, Weil, White, Mr. Speaker—50.

Noes: Anderson (Oscar W.), Andrew, Ashby, Ball, Blodgett, Booth, Brooks, Burnworth, Connolly, Crowley, Deibel, Duffy, Fishbaugh, Grimes, Henderson, Henry, Huffaker, Husser, Jensen, Jones, Lanstrum, Lusk, McClory, McMahon, Morris, Murray, O'Brien, Page, Prosser, Quaintance, Searles, Shaw, Spain, Wheat, Working—35.

Absent and not voting: Clark, Dodds, Farmer, Flanigan, Fuller, Harmon, Irons, Lewis, McDonald, Ward—10.

Hurd from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 142, beg leave to report that same has been correctly printed.

Report adopted and Bill placed on General Orders.

Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration H. B. No. 174, introduced by Deibel, entitled, "An Act to amend Section



9812 of the Revised Codes of 1907, of the State of Montana, relating to aiding or abetting or concealing or harboring escapes from the Montana State Industrial School,' report same back to the House with the recommendation that it do pass as amended, to-wit:

Amend Section 1, line 16, by striking out the word "now" and inserting in lieu thereof the word "not."

Amend Section 1, line 17, by striking out the word "and" after the word "years" and inserting in lieu thereof the word "or."

Amend Section 1, line 18, by adding after the word "dollars" the words "or both such a fine and imprisonment."

Report adopted and Bill referred to Printing Committee.

Shaw, from the Committee on Water Ways and Navigation, reported as follows:

Mr. Speaker: We, your Committee on Water Ways and Navigation, having had under consideration House Bill No. 156, a Bill for an Act entitled, "An Act to provide for the storing of flood waters, and giving to the person erecting storage works or dams the right to the use and ownership of water so stored," beg to recommend back to the House that same be re-referred to Committee on Irrigation and Water Rights. Report adopted.

Larse, from the Committee on Railroads and Transportation, reported as follows:

Mr. Speaker: We, your Committee on Railroads and Transportation, after due consideration of House Bill No. 38, by Jones, a Bill for an Act entitled, "An Act to require railway companies or corporations to report delayed trains, prescribing the method thereof and providing penalties, repealing Sections 4345, 4346, 4347 and 4348 of the Revised Codes of the State of Montana, and Chapter 105, Session Laws of the Eleventh Legislative Assembly, entitled, 'An Act to require railway corporations, operators, agents or persons in charge of railroads, telegraph or telephone stations, to report delayed trains, prescribing the method thereof, and providing penalties,'" respectfully offer the following amendments:

Amend by striking the following words in line 14, Section 1, "At least once every fifteen (15) minutes on said bulletin board at such station," and insert in lieu thereof the following words, "at the end of one hour thereafter any gain or loss made by such train and thereafter every thirty minutes and gain or loss made by such train, on such bulletin board at such station."

In line 12, Section 1, page 2, insert the words "upon request of such Central Exchange," after the word corporation.

Amend by inserting in line 2, Section 2, the words "wilfully and negligently" after the word "shall."

Section 2, line 5, strike out the words and figures "(\$25.00) twenty-five" and insert the words and figures "fifty (\$50.00)", and in line 6, strike out the words "together with all taxable costs," and in lines 8, 9, and 10, strike out the words "which said fine shall be paid over to the State Treasurer and be available for the maintenance of the Board of Railroad Commissioners."

We, your Committee, respectfully recommend that this Bill, as amended, do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, having had under consideration H. B. No. 185, by Stimpert, a Bill for an Act entitled, "An Act to amend Section 4466 of the Revised Codes of Montana of 1907, relating to the length of time valid leases on city lots may be given," respectfully beg leave to report as follows: "That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 173, by Hurd, a Bill for an Act entitled, "An Act to authorize and regulate the practice of chiropractic, to provide for licensing and examination of chiropractors, to create a state board of examination and registration; to provide for the appointment of same, to establish rules and regulations governing said board; to provide a curriculum and establish a standard of effi-



ciency; to provide pre-requisites and establish a fee for examination, to provide for the disposal of the fund arising from said fee; to regulate the holding of meetings of said boards, and issuance of license to practice chiropractic, to provide a penalty for practicing chiropractic without a license, as provided by this Act," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 189, by Holt, a Bill for an Act entitled, "An Act requiring collection agencies to give a bond and providing a penalty for failure to do so," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be indefinitely postponed. Report adopted.

Shaw, from the Committee on Waterways and Navigation, reported as follows:

Mr. Speaker: We, your Committee on Waterways and Navigation, having had under consideration House Bill No. 177, introduced by Harbert, entitled, "An Act providing for the leasing and granting of easements on the rights of way over lands owned by the State of Montana, lying between low and high-water mark of any navigable lake and repealing Chapter 124 of the Session Laws of the Twelfth Legislative Assembly," beg to report back to the House with the recommendation that the Bill pass as amended, to-wit:

Amend title by adding the following words, "of the State of Montana."

Amend Section 2, line 2, by inserting after the word "Assembly" the following words, "of the State of Montana."

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 183, by Oscar Anderson, a Bill for an Act entitled, "An Act authorizing the assignment by county assessors of duplicate certificates of tax sale issued to counties on sales of property for taxes," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 175, by Deibel, a Bill for an Act entitled, "An Act to amend Section 9810 of the Revised Codes of 1907 of the State of Montana, relating to release, parole or pardon of the inmates of the Montana Industrial School," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 178, by Holt, a Bill for an Act entitled, "An Act to provide for liens on monuments, gravestones and cemetery structures in favor of persons or corporations furnishing the same," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 182, by Ironside, a Bill for an Act entitled, "An Act to prohibit deputy State officers and other employees of the State from engaging in business that will cause unfair competition; to prevent such persons who travel at the expense of the State from engaging in the business of purchasing, selling, storing or manufacturing articles of commerce, farm, dairy or other products, or engaging in the business of insurance, bonding, trading, manufacturing or other lines of business or occupation, save and except the duties required of them by law, and to prevent said State officers and employees from acting as agents of those who are engaged in said pursuits and industries, and to punish those who violate the provisions of this Act," respectfully beg leave

to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 170, by Buell of Missoula, a Bill for an Act entitled, "An Act to amend paragraph six of Section 5017 of the Revised Codes of 1907, relating to the validating of contracts not in writing, authorizing or employing agents or brokers to procure purchasers for real estate," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

#### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 191, introduced by McMahon: A Bill for an Act entitled, "An Act relating to and providing for the inspection of boilers and the regulation of the use thereof, the examination and licensing of engineers, the revocation of such licenses, devolving upon the Industrial Accident Board the powers and duties of the Inspector of Boilers and of the Assistant Inspector of Boilers, providing for the performance of the duties of said Inspectors by said Industrial Accident Board and by Inspectors to be appointed by it, abolishing the offices of Inspector of Boilers and of Assistant Inspector of Boilers, and repealing laws in conflict therewith." Read first and second times and referred to Judiciary Committee.

H. B. No. 192, introduced by McMahon: A Bill for an Act entitled, "An Act relating to and providing for the inspection and regulation of mines of all kinds in the State of Montana, devolving upon the Industrial Accident Board the powers and duties of the Coal Mine Inspector and of the Inspector of Mines, providing for the performance of the duties of said Inspectors by the said Industrial Accident Board, and by Inspectors to be appointed by it, abolishing the offices of Inspector of Mines and Coal Mine Inspector, and repealing laws in conflict herewith." Read first and second times and referred to Judiciary Committee.

H. B. No. 193, introduced by Griffin: A Bill for an Act entitled, "An Act to amend Section 1564, the Revised Codes of 1907, as the same appears after amendment by Chapter 66 of the Session Laws of the Twelfth Legislative Assembly, relating to the pollution of water supply." Read first and second times and referred to Committee on Waterways and Navigation.

H. B. No. 194, introduced by Huffaker: A Bill for an Act entitled, "An Act to amend Section 2651 of the Revised Codes of Montana of 1907, relating to notice of application for tax deeds." Read first and second times and referred to Judiciary Committee.

H. B. No. 195, introduced by Brooks: A Bill for an Act entitled, "An Act to provide for the construction of a fish hatchery for the propagation of food fish and other fish in Park County, Montana, and to appropriate money therefor." Read first and second times and referred to Fish and Game Committee.

H. B. No. 196, introduced by Judiciary Committee: A Bill for an Act entitled, "An Act amending Section 6784 of the Revised Codes of Montana of 1907, as amended by Chapter 135 of the Session Laws of 1915, and relating to exceptions." Read first and second times and referred to Judiciary Committee.

H. B. No. 197, introduced by Hathaway: A Bill for an Act entitled, "An Act to amend Section 8381 of the Revised Codes of Montana of 1907, relating to penalty for selling cigarettes to minors, and adding a new Section providing for a penalty for the use of cigarettes, cigars or tobacco by minors." Read first and second times and referred to Committee on Public Morals, Charities and Reforms.

H. B. No. 198, introduced by Belden: A Bill for an Act entitled, "An Act repealing Section 2778 of the Revised Codes of Montana, 1907, being a part of the Act enacted by the Legislative Assembly of the State of Montana, known as the Political Code of the State of Montana, and being part of Part III, Title XII, Chapter XIII, Article II, providing for licenses of architects, builders, con-

tractors and manufacturers." Read first and second times and referred to Committee on Improvements and Manufacturing.

H. B. No. 199, introduced by Higgins: A Bill for an Act entitled, "An Act relating to the construction, operation, use and maintenance of all electrical construction, appliances and apparatus, and providing a penalty for the violation thereof." Read first and second times and referred to Committee on Improvements and Manufacturing.

H. B. No. 200, introduced by Belden: A Bill for an Act entitled, "An Act to provide for the creation of a commission on uniform State laws, the appointment of Commissioners thereto and the payment of the expenses of such Commissioners." Read first and second times and referred to Judiciary Committee.

H. B. No. 201, introduced by Gullidge: A Bill for an Act entitled, "An Act establishing the Southeastern Montana State Normal School at Terry, Montana, defining the objects of its establishment, providing for the control, supervision and management thereof, and making an appropriation for the construction of the necessary buildings and the support and maintenance thereof." Read first and second times at length and referred to Appropriations Committee.

H. B. No. 202, introduced by Andrew: A Bill for an Act entitled, "An Act to provide for the vacation of street and alleys, or portions thereof, in incorporated cities and towns in the State of Montana." Read first and second times and referred to Committee on Affairs of Cities.

#### READING OF SENATE BILLS.

S. B. No. 3, read first and second times and referred to Committee on Judiciary.

S. B. No. 20, read first and second times and referred to Committee on Judiciary.

S. B. No. 23, read first and second times and referred to Committee on Public Health and Sanitary Affairs.

S. B. No. 33, read first and second times and referred to Committee on Judiciary.

S. B. No. 42, read first and second times and referred to Committee on New Counties and Divisions.

S. B. No. 60, read first and second times and referred to Committee on Judiciary.

S. B. No. 31, read first and second times and referred to Committee on Judiciary.

#### MOTIONS AND RESOLUTIONS.

Higgins: I move that Senate Bill No. 7, by Lane, dividing the State into Congressional districts, be re-referred by the Speaker to some appropriate Standing Committee of the House for further consideration.

Motion carried and Bill referred to Ways and Means Committee.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

Senate Chamber, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Fishbeck: "An Act to amend Section 2 of Chapter 86 of the Laws, Resolutions and Memorials of the State of Montana, passed by the Thirteenth Legislative Assembly, and providing for the execution of all mortgages of personal property in duplicate, and prescribing the duties of officers taking the acknowledgments thereto."

By Heren: "An Act providing for the licensing of any person, association, or corporation engaged in the business of peddling beef, and providing for the inspection of the hide of any cattle slaughtered for beef, before the beef is peddled or offered for sale; and providing a penalty for violation thereof."

By Jones: "An Act to amend Section 52 of Chapter 89, Session Laws of 1915, being 'An Act regulating the business of banking, providing for the crea-



tion and regulation of banking corporations, creating the department of banking and prescribing the duties and fixing the salaries of its officers and employees, and repealing title 2, part 4 of division 1 of the Civil Code of Montana, entitled, "Banks and Banking Corporations," being the provisions of Sections 3909 to 4105, both numbers inclusive, Revised Codes of Montana, 1907, and all Acts amendatory thereof."

By Clark: "An Act for the submission to the qualified electors of the State of Montana of an assessment to Section 6 of Article XVI of the Constitution of the State of Montana relating to municipal corporations and officers."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times, and referred as follows:

S. B. No. 110, Whiteside: "An Act to appropriate money for the construction of a building to be used as a dormitory, library and assembly hall at the State Soldiers' Home." Referred to Committee on Finance and Claims.

S. B. No. 111, Whiteside: "An Act to provide for junior college courses and a normal training course in high schools, and to prescribe the method of meeting the expense of such courses." Referred to Committee on Education.

S. B. No. 112, Williams: "An Act to amend Sections 1 and 3 of Chapter 86 of the Laws of the Fourteenth Legislative Assembly, being an Act to provide for financial aid in the care of dependent children in their own homes under the direct control of the mothers of such children, whose fathers are dead or inmates of some Montana State institution of charity or correction or who are physically or mentally unable to provide for said children, or whose mothers are solely dependent on their labor for support." Referred to Committee on Finance and Claims.

S. B. No. 113, Edwards: "An Act to repeal Chapter 13 of the Thirteenth Legislative Assembly of the State of Montana, entitled, 'An Act to create the office of State Traveling Parole Commissioner, define the duties of said Commissioner and fix his compensation therefor.'" Referred to Committee on Judiciary.

S. B. No. 114, Slayton: "An Act to amend Sections 6449 and 6450 of the Revised Codes of the State of Montana of 1907, relating to the time of commencing actions other than for the recovery of real estate." Referred to Committee on Counties and Towns.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committees with recommendations:

Committee on Engrossed Bills reported Senate Bills Nos. 3, 20, 23, 31, 33, 42, 54 and 60 correctly engrossed. Report adopted.

Committee on Judiciary reported Senate Bill No. 92, introduced by Jones, entitled, "An Act to amend Section 3032 of the Montana Revised Codes of 1907, enumerating the instruments to be recorded by the County Clerk and Recorder, and the manner of recording the same, and providing for the validation of certain instruments heretofore recorded," with the recommendation that it do pass. Report adopted.

Committee on Judiciary reported Senate Bill No. 11, introduced by Edwards, recommending the Bill be amended as follows:

Amend the title to read thus: A Bill for an Act entitled, "An Act to permit the establishment, maintenance and operation of a public market house or market space at the county seats of the counties within the State, providing for the supervision and control thereof and for the acquiring of property for the purpose of carrying out the provisions of this Act, and penalties for the violation thereof."

Amend Section 2 by striking out the following: "That within one year



from and after the passage of this Act, the Board of County Commissioners of the Counties of Gallatin, Park, Sweet Grass, Stillwater, Yellowstone, Carbon, Big Horn, Rosebud, Custer, Fallon, Prairie, Dawson, Wibaux, Richland, Sheridan, Blaine, Valley, Hill, Phillips, Chouteau, Fergus, Mussellsell, Meagher and Teton must."

Strike out the words "of the other counties."

Strike out the words "and the Board of County Commissioners of the several counties hereinbefore enumerated must within one year from and after the passage of this Act, and."

Strike out the words "any other" and insert in lieu thereof the word "the."

And that the Bill as so amended do pass. Report adopted.

Committee on Printing reported that Senate Joint Resolution No. 1 and Senate Bills Nos. 5, 67, 50, 59, 81, 29, 41, 69 and 85 correctly printed. Report adopted.

Committee on Sanitary Affairs reported Senate Bill No. 95, introduced by Slayton, entitled, "An Act to amend Section 8492 of the Revised Codes of Montana, 1907, relative to the sale of carcasses of animals affected with an infectious contagious disease," recommending the Bill for passage. Report adopted.

Committee on Railroads and Transportation reported Senate Bill No. 27, entitled, "An Act providing for the manner, time and place of issuing bills of lading, and the manner, time and place of delivery of bills of lading by railway companies at stations where station agents are not provided; and providing a penalty for the violation thereof," recommending that the Bill do pass as amended. Report adopted.

Committee on Judiciary reported Senate Bill No. 26, introduced by Williams, entitled, "An Act defining the duties of Boards of County Commissioners relating to the purchasing of supplies for their respective counties," with the recommendation that the Bill be amended as follows:

Amend by striking out in the title all following the word "the" in line 3, and inserting in lieu thereof the following: "Awarding of contracts for the purchase of supplies and the publication of legal advertising and notices, and repealing Section 2897 of the Revised Codes of 1907," and that the Bill as so amended do pass. Report adopted.

Committee on Corporations other than Municipal reported Senate Bill No. 19, introduced by Burlingame, entitled, "An Act providing for service of process and notices upon domestic and foreign corporations, and to repeal Chapter 22 of the Laws of 1915," with the recommendation that the Bill do pass. Report adopted.

Committee on Judiciary reported Senate Bill No. 86, introduced by Jones, entitled, "An Act to amend Sections 9383, 9391, 9393 and 9394 of the Revised Codes of the State of Montana, 1907, relating to the place where and the persons who shall be present at the execution of a judgment imposing a death penalty and designating the person who shall execute the same, and providing for the duties and compensation of certain officers in connection therewith," with the recommendation that it do not pass.

Committee on Education reported Senate Bill No. 63, introduced by Dwight, entitled, "An Act to amend Section 1600 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana; providing for the method of selecting, purchasing, exchanging or selling of school house sites in school districts of the third class and relating to school sites in general," with the recommendation that same be amended as follows:

Amend Section No. 1 in line 13, by striking out the words "votes cast" and inserting in lieu thereof the words "the freeholder of the district voting," and with such amendments recommend that the Bill do pass. Report adopted.

Committee on Education reported Senate Bill No. 64, introduced by Dwight, entitled, "An Act to amend Subdivision 8 of Section 508 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the purchasing of school sites and the building and removal of school houses," with the recommendation that it be amended as follows:

Amend Subdivision 8 of 508 of Section 1, by striking out in line five (5) the words "votes cast" and inserting in lieu thereof the words "freeholder of

the district voting," and recommend that as the Bill is amended that it do pass. Report adopted.

Committee on Counties and Towns reported Senate Bill No. 104, introduced by Galloway, entitled, "An Act to prohibit any person from knowingly buying, selling, receiving, disposing of or concealing, or having in his possession, any automobile, motor car or motor vehicle from which the manufacturer's serial number, or any other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed, for the purpose of concealment or misrepresenting the identity of such automobile, motor car or motor vehicle, and providing punishment for the violation of the provisions hereof," with the recommendation that the Bill do pass. Report adopted.

Committee on Counties and Towns reported Senate Bill No. 25, introduced by Ellingson, entitled, "An Act providing for the creation of commissioner districts within counties and the election of County Commissioners from such districts of the several counties in the State of Montana, and repealing all Acts and parts of Acts in conflict with the provisions of this Act," with the recommendation that same be postponed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee, to whom was referred House Bill No. 48, introduced by Stimpert, entitled, "An Act providing for the creation of Commissioner Districts within Counties and the election of County Commissioners from such districts of the several counties in the State of Montana, and repealing all Acts and parts of Acts in conflict with the provisions of this Act," this day reported same back with the recommendation that it be not concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee, to whom was referred House Bill No. 80, introduced by Holt, entitled, "An Act to amend and re-enact Section 7166 of the Revised Codes and providing for the assessment of an attorney's fee in actions for the foreclosure of liens of mechanics and others upon real property," reported the same back with the recommendation that it be not concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day read three several times and concurred in, and are herewith returned:

Joint House Memorial No. 2, introduced by Kemmis.

Joint House Resolution No. 4, introduced by Harbert.

House Joint Resolution No. 2, introduced by Harbert.

House Joint Resolution No. 1, introduced by Harbert.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee, to whom was referred House Bill No. 68, introduced by Ashby, entitled, A Bill for an Act entitled, "An Act to amend Sections 8, 10, 22, 53, 54, 55, 56, 57 and 61 of Chapter 147 of the Montana Session Laws of 1909, 'An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof and the management, protection and disposition of the timber growing thereon and the coal, oil and minerals therein; providing for the management and control of the funds realized from the sale and rental

of State lands and the products thereof, etc., etc.," reported same back with the recommendation that the Bill be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Judiciary Committee, to whom was referred House Bill No. 58, introduced by Baxter, entitled, "A Bill for an Act to amend Sections XXIV and XXV of Chapter 147 of the Laws of the Eleventh Legislative Assembly, 1909, entitled, 'An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof, and the management, protection and disposition of the timber growing thereon and the coal, oil and minerals therein; providing for the management and control of the funds realized from the sale and rental of State lands and the products thereof; naming and providing for certain officers, etc., etc.," reported the same back with the recommendation that the Bill be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Counties and Towns, to whom was referred House Bill No. 74, introduced by Working, entitled, "An Act to authorize and empower any city or town organized under the laws of Montana to receive and take by gift, donation, grant, devise or bequest, any property, real, personal or mixed, or any improved or unimproved park or playground, or any water or water right, water reservoir or water shed, or any timber land or reserve, or any fish or game reserve, in any part of the State of Montana, and to own, hold, work and improve the same; and to authorize any person, company, co-partnership or corporation to make gifts, donations, grants, devises or bequests of any kind of property to any such city or town," reported same back with the recommendation that the Bill be concurred in.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Counties and Towns, to whom was referred House Bill No. 62, introduced by Murray, entitled, "An Act to amend Section 3246 of the Revised Codes of Montana of 1907, relating to salary of clerk," reported same back with the recommendation that Section 1 of the Bill be amended to read as follows:

"Section 1. That Section 3246 of the Revised Codes of the State of Montana, 1907, be, and the same is hereby amended so as to read as follows:

"The annual salary and compensation of the city clerk must be fixed by ordinance, and in cities of the first class must not exceed Twenty-four Hundred (\$2400.00) Dollars, which is for all services rendered by him in any capacity; in cities of the second class must not exceed Fifteen Hundred (\$1500) Dollars; in cities of the third class must not exceed Twelve Hundred (\$1200) Dollars, which compensation for cities of the second and third classes include services rendered by him as city attorney; and in towns must not exceed Three Hundred (\$300) Dollars, which includes all services rendered by him in any capacity, provided, however, that nothing in this Section shall be held or construed as applying to cities and towns operating under the commission form of government," and that the Bill as so amended be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Federal Relations, to whom was referred House Joint Memorial No. 3, introduced by Harbert, memorializing the Congress of the United States for a biological survey of Flathead, Whitefish and Swan Lakes,



reported the same back with the recommendation that it be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.  
Senate Chamber, Helena, Montana, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Resolution attached hereto was this day read and adopted in the Senate and ordered transmitted to the House for reading.

Respectfully,

J. F. CONE, Secretary of the Senate.  
To the Members of the Fifteenth Legislative Assembly:

WHEREAS, The good people of our Capital City, as well as many others throughout our State, are endeavoring to raise a substantial fund for the starving children of Belgium; and,

WHEREAS, a certain theatrical troupe are donating their services to help the good cause; and,

WHEREAS, the Montana Legislative Assembly wishes to go on record as in full sympathy with the movement, and in a substantial manner assist them.

NOW, THEREFORE, BE IT RESOLVED, That it is our unanimous desire that every member of this Assembly, who has not otherwise contributed to this cause, should donate one day's pay to the same, and for the convenience of said members, the State Treasurer is hereby designated as custodian of said fund until such time as he deems proper to turn over to the proper authorities.

It is further suggested that the employees at the State Capitol will be willing to contribute.

On motion of Lusk, Resolution referred to Committee on Public Morals, Charities and Reforms.

Senate Chamber, Helena, Montana, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second times, and referred as follows:

H. B. No. 42, introduced by McQuarrie, entitled: "An Act to amend Section 2056, Revised Codes of Montana, 1907, relating to the furnishing of medicine or medical attendance to the sick, poor and infirm of the County, and to inmates of County jails." Referred to Committee on Counties and Towns.

H. B. No. 103, introduced by Husser, entitled: "An Act to make available for use of the State Board of Health all funds deposited in the State Treasury to the credit of the State Board of Health maintenance fund." Referred to Committee on Sanitary Affairs.

Respectfully,

J. F. CONE, Secretary of the Senate.  
Senate Chamber, Helena, Montana, February 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day read three several times and passed, titles agreed to, and are herewith transmitted for concurrence:

Senate Bill No. 3, by Brower.  
Senate Bill No. 20, by Edwards.  
Senate Bill No. 23, by Annin.  
Senate Bill No. 31, by Oliver.  
Senate Bill No. 33, by Stevens.  
Senate Bill No. 42, by Dwight.  
Senate Bill No. 60, by Burla.

Respectfully,

J. F. CONE, Secretary of the Senate.

### THIRD READING OF SENATE BILLS.

S. B. No. 18, having been read three several times, was concurred in as amended by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Crowley,



Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lewis, Lusk, McClory, McQuarrie, Mason, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, Working, Mr. Speaker—79.

Noes: White—1.

Absent and not voting: Andrew, Clark, Cotter, Crismas, Farmer, Flanigan, Harmon, Ingalls, Lemmon, McDonald, McMahon, McMillan, Middleton, Phelps, Ward—15.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 38, having been read three several times, was concurred in by the following vote:

Ayes: Anderson (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henry, Higgins, Huffaker, Hurd, Ironside, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Rainey, Rasmussen, Searles, Shaw, Spain, Stimpert, Weil, Wheat, Working—74.

Noes: Davis, Fishbaugh, Holt, Kemmis, McDonald, Murray, Sand, Scott, Sektnan, White, Mr. Speaker—11.

Absent and not voting: Clark, Crismas, Crowley, Farmer, Flanigan, Harmon, Henderson, Husser, Quaintance, Ward—10.

Title agreed to and Bill returned to Senate.

Higgins: I move that the House resolve itself into a Committee of the Whole House, that debate on any Bill be limited to ten minutes, debate on amendments to Bills or amendments to amendments be limited to five minutes for any amendment, and five minutes against any amendment, with the privilege of five minutes' debate to the proposer of any amendment to close the discussion on same. Motion carried.

#### GENERAL ORDERS.

McMahon in the Chair.

House resumed.

Mr. Speaker in the Chair.

McMahon, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 52, introduced by Kinney, entitled, "An Act to provide for the issue and sale of bonds by the State Board of Examiners of the State of Montana for refunding capitol building bonds of the State of Montana," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 15, introduced by Larson, entitled, "An Act to amend Section 9289 of the Revised Codes of Montana, 1907, relating to evidence necessary to convict of crime of obtaining money or property by false pretense," report same back to the House with the recommendation that it be amended by adding the name of Representative Cotter as one of the authors of said Bill; also, by inserting after the enacting clause the following: Section 1. That Section 9289 of the Revised Codes of Montana, 1907, be and the same is hereby amended so as to read as follows: "Section 9289. Upon a trial, etc.," and that same be concurred in as amended.

Also, having had under consideration H. B. No. 109, introduced by Demel, entitled, "An Act to amend Sections 3457, 3461, 3462 and 3463 of the Revised Codes of Montana, 1907, relating to the issuance of bonds by cities and towns," report same back to the House with the recommendation that Section 1 thereof be amended by adding, in line 13, the letter "s" to the word "warrant," and by

striking out in line 14, the word "decreed" and inserting in lieu thereof the word "accrued," and that as amended Bill do pass.

Also, having had under consideration H. B. No. 81, introduced by Holt, entitled, "An Act providing for the installation of sanitary drinking fountains in all hotels located in towns or cities in this State wherein a water works system has been or may hereafter be installed, and providing penalties for failure to comply herewith," report same back to the House with the recommendation that it be re-referred to Committee on Sanitary Affairs.

Also, having had under consideration H. B. No. 128, introduced by Demel and Scott, entitled, "An Act to prohibit livestock from running at large in any city or within one (1) mile thereof, and in any incorporated town or within half ( $\frac{1}{2}$ ) a mile thereof, and providing a penalty for the violation hereof," report same back to the House with the recommendation that it do pass.

McMahon moved adoption of report.

Lusk, as a substitute, moved that the report of the Committee of the Whole on H. B. No. 128 be segregated from the Committee of the Whole report.

Motion carried by standing vote of 43 to 39 and Committee of the Whole report was adopted, as segregated.

Lusk moved that H. B. No. 128 be reported back with the recommendation that Bill do not pass.

Mason moved, as a substitute, that H. B. No. 128 be reported back with the recommendation that Bill do pass.

Roll call demanded and substitute motion carried by following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Baldwin, Ball, Bernard, Blodgett, Booth, Buchanan, Carll, Connolly, Cotter, Crowley, Demel, Dodds, Duffy, Eaton, Fishbaugh, Griffin, Hathaway, Hawks, Holt, Husser, Ironside, Jensen, Kehoe, Kemmis, Larse, McClory, Mason, Morrow, Murray, O'Brien, Phelps, Prosser, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Working—44.

Noes: Anderson (Oscar W.), Arneson, Baxter, Belden, Bent, Blake, Buell of Missoula, Buell of Gallatin, Burnworth, Crismas, Davis, Deibel, Eliel, Fuller, Gould, Grimes, Gullidge, Henderson, Henry, Higgins, Huffaker, Hurd, Johnson of Deer Lodge, Jones, Kelsey, Lanstrum, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Middleton, Morris, Page, Quaintance, Rainey, Rasmusson, Shaw, Wheat, White, Mr. Speaker—42.

Absent and not voting: Brooks, Clark, Farmer, Flanigan, Harbert, Harmon, Ingalls, Johnston of Ravalli.

On motion of Mason, House recessed at 12:35 P. M. until 1:30 P. M.

#### AFTERNOON SESSION.

House reassembled at 1:30 P. M.

Mr. Speaker in the chair.

There being no objection, Mr. Speaker reverted to Seventh Order of Business.

#### CONSIDERATION OF MESSAGES FROM THE GOVERNOR.

The following communication was received from His Excellency, the Governor:  
Executive Office, February 2, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise you that I have this day approved House Bill No. 31, "An Act to amend Section 6870e of the Revised Codes of Montana, enacted in Chapter 113 of the Laws of 1915, so as to avoid the necessity of taking oral testimony before securing an order for publication of summons in an action to quiet title."

S. V. STEWART, Governor.

On motion of Harbert, House resolved itself into a Committee of the Whole, for the consideration of General Orders.

#### GENERAL ORDERS.

Demel in the chair.

House resumed.

Mr. Speaker in the chair.

Demel, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole having had under consideration

H. B. No. 108, introduced by Stimpert, entitled, "An Act prohibiting unfair competition or discrimination in the buying, selling, production, manufacturing or distribution of any commodity or product in general use and providing a penalty for the infraction of the provisions thereof, and providing that complaint may be made to the Attorney General of any violation of this Act by any corporation and requiring the Attorney General to forthwith investigate such complaint and to prosecute such corporation if the facts ascertained by him warrant such prosecution and providing for the annulment by the court of the charter of any corporation found guilty of unfair competition or discrimination," report same back to the House with the recommendation that it do not pass.

Also, having had under consideration H. B. No. 113, introduced by Ward, entitled, "An Act to amend Section 6339, Code of Civil Procedure, Revised Codes of Montana, 1907, exempting from jury duty regularly licensed embalmers and undertakers," report same back to the House with the recommendation that Section 1 thereof be amended by inserting in line 11 the word "dentist" after the word "physician," and by striking out in line 27, the words "Superintendent, Engineer or Conductor," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 4, introduced by Murray, entitled, "An Act regulating and limiting the hours of employment for female employees, and governing the conditions under which female employees shall work in certain industries and providing penalties for violation thereof," report same back to the House with the recommendation that Section 5 thereof be amended by striking out said section and inserting in lieu thereof the following: "Section 5. This Act shall take effect and be in force from and after April 1, 1917," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 84, introduced by Charles Andersen, entitled, "An Act to amend Chapter 110 of the Laws of the Twelfth Legislative Assembly of the State of Montana, defining itinerant vendors; to regulate the licensing of the same; to fix the amount of such licenses; to provide for penalties for violation of such regulation and for other purposes," report same back to the House with the recommendation that Section 1 thereof be amended by striking out in lines 1 and 2 the words, "every person, company or corporation, who at temporary quarters sells or offers for sale any goods, wares or merchandise and"; and by inserting after the words "Section 1" the following words "That Section 1 of Chapter 110 of the Laws of the Twelfth Legislative Assembly of the State of Montana be and the same is hereby amended so as to read as follows": that Section 2 thereof be amended by adding after the word "business" in line 18, the following: "and main therein a stock of goods of an assessable valuation of not less than One Thousand Dollars," and by inserting in line 20, after the word "at" the words "a fixed" and striking out the word "its"; that Section 4 thereof be amended by striking out the words "company or corporation"; and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 127, introduced by Puell of Missoula, "Permitting cities and towns to establish and operate swimming pools, skating rinks and play grounds, etc.," report same back to the House with the recommendation that it do pass. Report adopted.

On motion of Blodgett, House reverted to Second Order of Business.

### NOTICES OF BILLS.

By Crowley: "An Act relating to and providing for the inspection of dairies and the regulation of same, devolving upon the state livestock sanitary board the duties of the state dairy commissioner and his deputies, providing for the performance of the duties of said state dairy commissioner and his deputies by said state livestock sanitary board by inspectors to be appointed by it, and abolishing the offices of state dairy commissioner and deputy dairy commissioners and repealing laws in conflict herewith."

By Blodgett: "An Act to amend Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, said Chapter 112 being, 'An Act to amend Sections 2957 and 3116 of the Revised Codes of Montana of 1907, entitled, an Act enumerating county officers and fixing the compensation of such officers according to classification of counties.'"



By Deibel: "An Act requiring all persons who keep or maintain a dairy or dairy farm or who sell milk or cream to secure a permit; conferring duties upon the State Board of Health; and to provide a fee for such permit; and to provide penalties for violation thereof."

By Page: "An Act authorizing and requiring the county treasurers of the State of Montana to refund to persons holding unexpired liquor licenses, on the thirty-first day of December, 1918, the amount of the unexpired portion of such license."

By Lusk: "An Act to amend Section 7724 of the Revised Codes of the State of Montana of 1907, relating to the property subject to inheritance tax, and exemption from such taxation all gifts, devises and bequests to the State of Montana or any of its public institutions."

By Mason: "An Act to abolish the offices of State Deputy Sealer of Weights and Measures and of Inspectors of Weights and Measures, to devolve the duties and powers of said officers upon the Secretary of State and the County Clerks and Records respectively."

By Grimes: "An Act repealing an Act entitled, 'An Act relating to grain elevators, grain ware-houses and places where grain is stored, establishing a State Grain Inspection Department and a Grain Grading Commission; providing for the appointment of a Chief Grain Inspector, his deputies and other employees, prescribing their duties and powers, and fixing their salaries and terms of office; establishing licenses for conducting the business of public warehousemen, grain dealers, or track buyers; fixing the fees for inspection and weighing grain under the terms of this Act; substituting this Act for Chapter forty-seven (47) of the Laws of the Thirteenth Legislative Assembly, and repealing said Chapter forty-seven (47) but continuing the validity of the appointment of officers, bonds executed, and licenses issued thereunder,' approved March 8, 1915, and to continue in force all rights and obligations and liabilities which might have accrued during the existence of said law or laws of which the same may have been amendatory."

By Harbert: "A memorial to the Congress of the United States to amend the Ferris Bill so as to prevent the tying up of the public domain to the prejudice of actual homesteaders."

By Weil: "An Act amending Chapter 78 of the Session Laws of the Thirteenth Legislative Assembly entitled 'An Act to establish a Montana State Highway Commission, defining its duties and powers and providing for a State Highway Commission Fund, and appropriating money therefor,' amending Sections 1, 2, 3, 4, 5, 7, 11 and 12, and repealing Sections 6, 8, 9 and 10."

By Johnston: "An Act to provide for the construction of a fish hatchery for the propagation of food fish and other fish in Ravalli county, Montana, and to appropriate money therefor."

By Sand: "An Act to amend Sections 4, 5, 7 and 9 of Chapter 147 Acts of Eleventh Legislative Assembly relating to the appointment of the Register of State Lands, Deputy Register of State Lands, State Agent and State Forester."

Rasmusson: I move that House resolve itself into a Committee of the Whole for consideration of General Orders.

Lusk: I move to amend motion to go into a Committee of the Whole, by adding that debate on any Bill shall not exceed ten minutes.

Amended motion carried.

#### GENERAL ORDERS.

Blake in the chair.

House resumed.

Mr. Speaker in the chair.

Blake, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole having had under consideration H. B. No. 36, introduced by Harbert, entitled, "An Act to amend Sections 12 and 21 of Chapter 57 of the Session Laws of the State of Montana of 1911, relating to Commission form of government for cities, providing for the election of officers therein, defining their duties and powers, and providing for their compensation," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 6, introduced by Page, entitled, "An Act to provide for the payment of wages of employees and to provide



penalties for violations thereof," report same back to the House with the recommendation that Section 1 thereof be amended by inserting after the word "discharged" the following: "and such payment shall be made in lawful money of the United States or in valid negotiable checks or drafts"; that Section 2 thereof be amended by striking out in lines 12 and 13 the words "fail, neglect or," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 72, introduced by Bernard, entitled, "An Act to prohibit the driving, placing or imbedding of spikes, nails or other metallic substances, stone or rock, in saw logs intended for manufacture into lumber or other timber products, and prescribing the penalty therefor," report same back to the House with the recommendation that Section 1 thereof be amended by striking out in line 2, after the word "rock" the words "with malicious intent," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 133, introduced by Farmer, entitled, "An Act to amend Section 3 of Chapter 73 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, and fixing the fees to be paid by incorporated cities and towns and by school districts of the first and second class into the fund known in the law as the State Examiners' Fund," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 79, introduced by Burnworth, entitled, "An Act to amend Section 3855 Laws of 1907, so that certain assignment stock certificates shall be considered prima facie evidence of fraud, when writs of attachment or writs of execution are levied on said stock," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 63, introduced by Hathaway, entitled, "An Act making it the duty of sheriffs, mayors and others to employ matrons or female attendants for female prisoners, providing compensation and fixing penalties," report same back to the House with the recommendation that Section 3 thereof be amended by inserting in line 12, after the word "to" and before the word "sheriffs," the word "deputy," and that, as amended, Bill do pass. Report adopted.

House reverted to Eighth Order of Business.

### THIRD READING OF SENATE BILLS.

S. B. No. 15, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Prosser, Quaintance, Rainey, Rasmusson, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—87.

Noes: None.

Absent and not voting: Baldwin, Flanigan, Fuller, Harmon, Henry, Larse, McMillan, Phelps—8.

Title agreed to and Bill referred to Senate.

S. B. No. 52, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason,

Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Seknan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—86.

Noes: None.

Absent and not voting: Ball, Deibel, Flanigan, Ingalls, Johnston of Ravalli, Lanstrum, Larse, Quaintance, Mr. Speaker present but not voting—9.

Title agreed to and Bill returned to Senate.

Murray: I move to suspend the rule for tomorrow, providing that Bills must be on General Orders for 24 hours before being given consideration. Motion carried.

On motion of Stimpert, House adjourned at 5:10 P. M. until 10:00 A. M., Saturday, February 3, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## THIRTY-FOURTH DAY

Saturday, February 3, 1917.

House met at 10:00 A. M. pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll called. All members present.

Blodgett, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the Thirty-third day and find same to be correct.

### COMMUNICATIONS AND PETITIONS.

A communication, signed by fifteen electors of Prairie county, urging the passage of a Bill which would stop the manufacture, sale and use of alcoholic liquors in the State on December 31, 1917, was, on motion of Sand, referred to Committee on Public Morals, Charities and Reforms.

A similar communication, signed by forty electors of Granite county, was also, on motion of Sand, referred to the Committee on Public Morals, Charities and Reforms.

Two communications pertaining to prohibition and signed "One Who Knows" were received and referred to the Committee on Public Morals, Charities and Reforms.

### NOTICES OF BILLS.

By Bernard: A House Joint Memorial praying Congress to pass Homestead Law of Senator Myers now before Congress, giving relief to settlers on homesteads in forest reserves.

By Lewis: "An Act to provide for the appointment by the District Judges throughout the State of Probate Commissioners, and to provide for assistance to relieve the District Courts of the State from overburdened condition of Probate calendars."

By Baldwin: (By request) "An Act to create a child welfare division in the State of Montana and providing for the duties of said division."

By Gullidge: "An Act to amend Sections 800, 900, 903, 905, 906, 907, 908, 909, 910, to repeal Section 108, and sub-division 7 of Section 106, and to add a new section to be known as Section 911, of Chapter 76, of the Session Laws of 1913, providing for the certification of public school teachers, and establishing the State Board of Educational Examiners, and establishing the Teachers' Certificate fund, and providing for the expenditure of the same."

By Gould: "An Act providing for the levy and collection of a tax upon incomes to be known as the General Income Tax Law of Montana."

By Demel: "An Act providing for the payment of tuition of high school pupils by the district of their residence to the district where the high school is maintained."

## REPORTS OF STANDING COMMITTEES.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 4, 22, 24, 109, 112, 113, 127, 128 and House Joint Memorial No. 5, beg leave to report same back as correctly engrossed.

Report adopted and Bills and Memorial placed on calendar for Third reading.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: The fact that the mailing department in the office of the sergeant-at-arms finds that 500 copies of House Bills is not sufficient to cover their mailing list, they have asked the Printing Committee to bring this matter before your Honorable Body for consideration."

Searles, from the Committee on Fish and Game, reported as follows:

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 195, a Bill for an Act entitled, "An Act to provide for the construction of a fish hatchery for the propagation of food fish and other fish in Park county, Montana, and to appropriate money therefor," respectfully beg leave to report as follows: That this Bill be referred to the Appropriation Committee with the recommendation that the same do pass."

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 137, introduced by Working, entitled, "An Act to amend Sections 3465, 3466, 3471, 3472 and 3478 of the Revised Codes of 1907 of Montana, relating to the laying out, surveying, platting and recording of any city or town, or any addition to any city or town, or any tract of land within the limits of any city or town, or any townsite, or any tract of land outside of the limits of any city or town sold in small tracts or acreage tracts less than the United States legal subdivision, requiring sales to be made by reference to such plats and the numbers of such lots and blocks: to facilitate the transfer or taxation of such property: and to prevent boundary disputes: providing for public parks within such platted and surveyed area: to promote and preserve the public welfare by prohibiting certain things hurtful to the comfort, safety and welfare of society by establishing such rules and regulations for the use, sale and management of property as may be conducive to public interest: and providing penalties for the violation of such provisions," beg leave to report as follows: We recommend that the same do pass.

Report adopted and Bill referred to Printing Committee.

Davis, from the Committee on Agriculture, reported as follows:

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 149, introduced by Baldwin, a Bill for an Act entitled, "An Act to amend Chapter 17 of the Revised Codes of Montana, 1907, relating to toll for grinding grain; amending Sections 2092, 2093 and 2094 of the Revised Codes of Montana, 1907, relating to the duties of persons engaged in operating flouring mills, conferring upon the public service commission, certain powers and duties, and providing penalties for the violation of the provisions hereof," report same back to the House with the recommendation that it do pass, amended as follows:

That after the word "offered" in line 19 of Section 1, the words "by any person" be inserted.

That after the word "accept" in line 20 of Section 1, of said Bill, the words "more than is necessary for the use of such person not to exceed" be inserted, and the words "more than" following the word "accept" in line 20 of Section 1 of said Bill be stricken therefrom.

That after the words "Hard Montana" in line 4 of Section 2 of said Bill, the words "or Number Two (2) Northern," be inserted.

That after the word "misdemeanor" in line 18 of Section 4 of said Bill, the words "and is punishable by imprisonment in a county jail not exceeding six months or by a fine not exceeding five hundred (\$500.00) Dollars, or both," be inserted.

That after the word "after" in line 25 of Section 6 of said Bill, the words



"the first" be inserted, and after the word "of" in line 25, of Section 6, of said Bill, the word "June" be inserted.

Report adopted and Bill referred to Printing Committee.

Andrew, Chairman of the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 121, introduced by Ward, entitled, "An Act to create a fund in cities of the State of Montana, having a police department, to be known as the Police Relief and Pension fund for the benefit of policemen and their families; to provide punishment for the violation of the provisions of this Act; to authorize cities to levy an annual tax for the benefit of such fund a percentage of the fines collected in money in the police court; to authorize the Board of Trustees of such fund to acquire money for the benefit of such fund from interest, rents, rewards to members of the police department, and monthly dues from such members, and from any other source, and to receive and take property, real or personal, by donation, gift, grant, devise or bequest, for the use and benefit of such fund, and to authorize and permit gifts, grants, donations, bequests, devises and testamentary disposition to be made to such Board of Trustees for the benefit of such fund," beg leave to report as follows: We recommend that the Bill do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 153, introduced by Huffaker, entitled, "An Act authorizing cities and towns to regulate motor vehicles and to prescribe penalties for violations of such regulations," beg leave to report as follows: We recommend that the same do pass.

Report adopted and Bill referred to Printing Committee.

Morrow, from the Committee on Banks and Banking, reported as follows:

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 168, a Bill for an Act entitled, "An Act to amend Section 50, of Chapter 89, Session Laws of 1915, being an Act entitled, an Act regulating the business of banking, providing for the creation and regulation of banking corporations, creating the department of banking and prescribing the duties and fixing the salaries of its officers and employees, and repealing title 2, part 4 of division 1, of the Civil Code of Montana, entitled 'Banks and Banking Corporations,' being the provisions of Sections 3909 to 4015 both numbers inclusive, revised Codes of Montana, 1907, and all Acts amendatory thereof," respectfully beg leave to report as follows: That the Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Morrow, of the Committee on Banks and Banking, reported as follows:

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 107, entitled, "A Bill for an Act entitled an Act to amend Section 3930 of the Civil Code of the State of Montana, 1907, relating to the investment of capital of trust companies," respectfully beg leave to report as follows: That the Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Morrow, from the Committee on Banks and Banking, reported as follows:

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration House Bill No. 106, a Bill for an Act entitled, "An Act to amend Section 3951 of the Civil Code of the State of Montana, 1907, relating to the investment of capital by Savings Banks," respectfully beg leave to report as follows: That the Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 95, introduced by Belden, entitled, "An Act to provide for the extension of incorporated cities and towns and repealing all Acts and parts of Acts in conflict herewith," beg leave to report as follows: We recommend that the Bill be amended as follows:



By substituting in the 16th line of Section 1, in place of the words "at least once a week for two successive weeks," the words "at least three times a week for three successive weeks."

By substituting in the 19th line of Section 1, after the words "twenty days after the" the word "last" in place of the word "first."

And that in place of the last proviso in Section 1 the following proviso be substituted: "Provided that said resolution shall not be adopted by such council if more than one-half of the resident freeholders embraced within said adjacent or contiguous territory shall have filed with the city or town clerk written disapproval of the proposed extension of said boundaries."

And we recommend that the Bill, as amended, do pass.

Report adopted and Bill referred to Printing Committee.

Hathaway, from the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, to whom was referred the Slayton Belgian Relief Resolution, report same back to the House with the recommendation that it be re-referred to the Appropriation Committee. Report adopted.

Hathaway, from the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 197, introduced by Hathaway, entitled, "An Act to amend Section 8381 of the Revised Codes of Montana of 1907, relating to penalty for selling cigarettes to minors, and adding a new section providing for a penalty for the use of cigarettes, cigars or tobacco by minors," report same back to the House with the recommendation that it do pass, amended as follows:

In Section 8381, line 2, after the word "minor" insert the words "under the age of eighteen years."

In Section 2, line 1, after the word "person," insert the words "under the age of eighteen years."

In Section 2, line 7, strike out the word "any" and insert the word "said" in lieu thereof.

In Section 4, line 1, after the word "in" insert the word "full."

In Section 4, line 2, strike out the words "from and" and insert the words "sixty days" in lieu thereof.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 60, by Burla, an Act to amend Chapter 14 of the Laws of the Fourteenth Legislative Assembly, entitled, "An Act providing for the indeterminate sentences of persons convicted of crime, and for the parole of such persons and prescribing the duties of officials in connection therewith," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 176, by Lewis, a Bill for an Act entitled, "An Act amending Section 8416 of the Revised Codes of Montana of 1907, prohibiting gambling games and providing a penalty for the violation thereof," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 196, by the Judiciary Committee, a Bill for an Act entitled, "An Act amending Section 6784 of the Revised Codes of Montana of 1907, as amended by Chapter 135 of the Session Laws of 1915, and relating to exceptions," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

## INTRODUCTION AND SECOND READING OF BILLS AND MEMORIALS.

H. B. No. 203, introduced by Crowley: A Bill for an Act entitled, "An Act relating to and providing for the inspection of dairies and the regulation of same, devolving upon the State Livestock Sanitary Board the duties of the Dairy Commissioner and his deputies, providing for the performance of the duties of said State Dairy commissioner and his deputies by said State Livestock Sanitary Board by inspectors to be appointed by it, and abolishing the office of State Dairy commissioner and Deputy Dairy Commissioners, and repealing laws in conflict herewith." Read first and second time and referred to Judiciary Committee.

H. B. No. 204, introduced by Johnston: A Bill for an Act entitled, "An Act providing for the closing of saloons on Sundays, and prohibiting the sale of any kind of spirituous or malt liquors on Sundays, in incorporated and unincorporated cities, villages, towns and elsewhere, providing penalties for a violation thereof, and repealing Chapter sixty-eight of the Session Laws of the Fourteenth Legislative Assembly." Read first and second time and referred to Committee on Public Morals, Charities and Reforms.

H. B. No. 205, introduced by Grimes: A Bill for an Act entitled, "An Act repealing an Act entitled, 'An Act relating to Grain Elevators, Grain Warehouses and places where grain is stored; establishing a State Grain Inspection Department and a Grain Grading Commission; providing for the appointment of a Chief Grain Inspector, his deputies, and other employees; prescribing their duties and powers, and fixing their salaries and terms of office; establishing licenses for conducting the business of Public Warehousemen, Grain Dealers or Track Buyers; fixing the fees for inspection and weighing grain under the terms of this Act; substituting this Act for Chapter forty-seven (47) of the Laws of the Thirteenth Legislative Assembly, and repealing said Chapter forty-seven (47), but continuing the validity of the appointment of officers, bonds executed, and licenses issued thereunder,' approved March 8, 1915, and to continue in force all rights and obligations and liabilities which might have accrued during the existence of said law or laws of which the same may have been amendatory." Read first and second time and referred to Judiciary Committee.

H. B. No. 206, introduced by Page. A Bill for an Act entitled, "An Act authorizing and requiring the County Treasurers of the State of Montana to refund to persons holding unexpired liquor licenses, on the thirty-first day of December, 1918, the amount of the unexpired portion of such licenses." Read first and second time and referred to Judiciary Committee.

H. B. No. 207, introduced by Weil: A Bill for an Act entitled, "An Act amending Chapter 78 of the Session Laws of the Thirteenth Legislative Assembly entitled, 'An Act to establish a Montana State Highway Commission, defining its duties and powers and providing for its compensation, providing for a State Highway Commission fund and appropriating money therefor,' amending Sections 1, 2, 3, 4, 5, 7, 11 and 12, and repealing Sections 6, 8, 9 and 10." Read first and second time and referred to Highways Committee.

H. B. No. 208, introduced by Judiciary Committee: A Bill for an Act entitled, "An Act to amend Section 6594 of the Revised Codes of Montana relating to service of notices." Read first and second time and referred to Judiciary Committee.

H. B. No. 209, introduced by Judiciary Committee: A Bill for an Act entitled, "An Act to amend Section 6244 of the Revised Codes of Montana, 1907; providing for two additional justices of the Supreme Court and providing for their appointment and term of office." Read first and second time and referred to Judiciary Committee.

H. B. No. 210, introduced by Mason: A Bill for an Act entitled, "An Act to abolish the offices of State Deputy Sealer of Weights and Measures and of Inspectors of Weights and Measures, to devolve the duties and powers of said officers upon the Secretary of State and the County Clerks and Recorders respectively." Read first and second time and referred to Judiciary Committee.

H. B. No. 211, introduced by Lewis: A Bill for an Act entitled, "An Act declaring all buildings and places nuisances wherein or upon which acts of lewdness, assignation or prostitution are held or occur, or which are used for such purposes, or wherein or upon which any gambling is conducted or carried on,

contrary to any of the laws of the State of Montana, or wherein any wine rooms are maintained, contrary to Sections 8376, 8377, 8384, 8385 and 8386 of the Revised Codes of Montana of 1907 or to any of the laws of the State of Montana, and providing for the abatement and prevention of such nuisances, by injunction and otherwise." Read first and second times and referred to Committee on Public Morals, Charities and Reforms.

H. B. No. 212, introduced by Working: A Bill for an Act entitled, "An Act authorizing the Board of Trustees of the State Law Library to appoint an Assistant Librarian in the State Law Library, prescribing his qualifications and providing for his compensation." Read first and second times and referred to Committee on State Institutions, Public Buildings and Grounds.

H. B. No. 213, introduced by Fishbaugh: A Bill for an Act entitled, "An Act to provide for uniform names of postoffices and railway stations in the State of Montana and empowering the Board of Railroad Commissioners of the State of Montana to change the names of railway stations within the State of Montana having similar names and providing a penalty for failure to conform to the order of such Board." Read first and second times and referred to Committee on Railroads and Transportation.

H. B. No. 214, introduced by Connolly: A Bill for an Act entitled, "An Act providing for the lighting of all horse drawn vehicles on the public highways at night and providing penalty for violation thereof." Read first and second times and referred to Committee on Highways.

H. B. No. 215, introduced by Higgins: A Bill for an Act entitled, "An Act to equalize the opportunity for higher education to the youth of the State by authorizing the payment of traveling fare of students attending the institutions of the University of Montana, and making an appropriation therefor." Read first and second times at length and referred to Appropriations Committee.

H. B. No. 216, introduced by Deibel: A Bill for an Act entitled, "An Act requiring all persons who keep or maintain a dairy or dairy farm, or who sell milk or cream, to secure a license; conferring duties upon the State Board of Health; and to provide a fee for such license; and to provide penalties for violation thereof." Read first and second times and referred to Committee on Public Health and Sanitary Affairs.

H. B. No. 217, introduced by Murray: A Bill for an Act entitled, "An Act to amend Section 79 of Chapter 1 of the Revised Codes of the State of Montana, 1915, by inserting after the words "Assistant Journal Clerk" the words "Assistant Enrolling Clerk and Assistant Engrossing Clerk." Read first and second times and referred to Judiciary Committee.

H. B. No. 218, introduced by Johnston: A Bill for an Act entitled, "An Act to provide for the construction of a fish hatchery for the propagation of food fish and other fish, in Ravalli County, Montana, and to appropriate money therefor." Read first and second times and referred to Committee on Fish and Game.

H. J. M. No. 6, introduced by Harbert: Memorial to the Congress of the United States to amend the Ferris Bill so as to prevent the tying up of the public domain to the prejudice of actual homesteaders. Read first and second times and referred to Committee on Federal Relations.

#### READING OF SENATE BILLS.

S. B. No. 16, read first and second times and referred to Committee on Insurance.

S. B. No. 65, read first and second times and referred to Committee on Affairs of Cities.

There being no objection, Speaker reverted to First Order of Business.

#### COMMUNICATIONS AND PETITIONS.

The following telegram was received:

Denver, Colo., Feb. 2, 1917.

Speaker of House of Representatives, Helena, Montana:

If Legislature will consider Bill we will prepare new compilation of Codes thoroughly annotated by expert compilers without any expense to State; will



sell state necessary sets to supply members and others officers at about cost of printing. Wire request and representative will visit Legislature with draft of necessary Bill.

(Signed) THE W. H. COURTWRIGHT PUBLISHING CO.

On motion, telegram was referred to Committee on Printing.

A Resolution was received from the Great Falls Commercial Club, urging the passage of H. B. No. 135, giving authority to municipalities to adopt the city manager plan of government.

Resolution referred to Committee on Affairs of Cities.

### MOTIONS AND RESOLUTIONS.

Belden: I move that the report of the Committee of the Whole of yesterday on H. B. No. 6, be reconsidered.

Page: I move to lay motion to reconsider on the table.

Roll call demanded and motion to lay on the table carried by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Baxter, Bernard, Blake, Booth, Buell of Missoula, Buchanan, Carll, Clark, Connolly, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Gould, Grimes, Harbert, Hathaway, Hawks, Higgins, Holt, Huffaker, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Lanstrum, Larse, McMahon, McQuarrie, Murray, O'Brien, Page, Quaintance, Sand, Scott, Searles, Sektan, Shaw, Ward, Wheat, White, Working, Mr. Speaker—50.

Noes: Anderson (Oscar W.), Ashby, Baldwin, Ball, Belden, Bent, Brooks, Buell of Gallatin, Cotter, Crismas, Fishbaugh, Fuller, Griffin, Gullidge, Henderson, Henry, Hurd, Husser, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McDonald, McMillan, Mason, Middleton, Morris, Morrow, Prosser, Rainey, Rasmussen, Spain, Stimpert, Weil—35.

Absent and not voting: Blodgett, Burnworth, Eliel, Farmer, Harmon, Ironside, Jones, McClory, Phelps—9.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 2, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times and referred as follows:

S. B. No. 115, Roberts: "A Bill for an Act relating to the mileage, fees and expenses of sheriffs, and repealing Sections 3137 and 3138, Revised Codes of Montana, 1907." Referred to Judiciary Committee.

S. B. No. 116, Roberts: "An Act to permit an application for a State Farm Loan being made and considered and a receipt being furnished pending the final breaking, clearing or improvement of the land upon which the loan is sought." Referred to Committee on Public Lands.

S. B. No. 117, Fishbeck: "An Act to amend Sections 2 and 12 of Chapter 86 of the Laws, Resolutions and Memorials of the State of Montana, passed by the Thirteenth Legislative Assembly, and providing for the execution of all mortgages of personal property in duplicate and prescribing the duties of officers taking the acknowledgments thereto, and the giving of notice of sale when the property is sold by a sheriff under power of sale given in the mortgage." Referred to Committee on Judiciary.

S. B. No. 118, Healy: "An Act to provide a method of voting at general, special and primary elections, including general, special and primary municipal elections, by electors absent, or expecting to be absent, on the day of such election from the county in which they are electors, and making regulations regarding such voting." Referred to Committee on Elections and Privileges.

S. B. No. 119, Heren: "An Act providing for the licensing of any person, association or corporation engaged in the business of peddling beef, and providing for the inspection of the hide of any cattle slaughtered for beef, before the beef is peddled or offered for sale, and providing a penalty for violation thereof." Referred to Committee on Stock Growing.



S. B. No. 120, Clark by request: "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 6 of Article XVI of the Constitution of the State of Montana relating to municipal corporations and officers." Referred to Committee on Constitutional Amendments.

S. B. No. 121, Whiteside: "An Act to provide for the construction of a State fish hatchery in Yellowstone County and appropriating money for the construction and furnishing of such hatchery." Referred to Committee on Fish and Game.

S. B. No. 122, Fishbeck: "An Act concerning County Auditors, prescribing and enlarging their duties and powers, and transferring certain fiscal duties now performed by the county clerk to the office of county auditor; to provide for the appointment and election of county auditors in counties of the sixth, seventh and eighth classes and fixing their compensation; to provide for the appointment of deputy auditors in all counties and fixing their compensation; prescribing certain duties of the State Examiner and the Board of County Commissioners in relation thereto; to amend Sections 2611, 2612, 2621, 2623, 2626, 2627, 2628, 2634, 2664, 2665, 2666, 2674, 2675, 2696, 2697, 2709, 2710, 2711, 2712, 2717, 2718, 2719, 2721, 2722, 2723, 2746, 2747, 2748, 2753, 2768, 2987, 2996, 3007, 3100, 3104, 3108, 3179, 3184 and to repeal Sub-Section 4 of Section 3045 and Sub-Sections 1, 2, 3, 4, 5 and 6 of Section 2953 of the Revised Codes of Montana, 1907." Referred to Committee on Judiciary.

S. B. No. 123, Jones: "An Act to amend Section 52 of Chapter 89, Session Laws of 1915, being an Act regulating the business of banking, providing for the creation and regulation of banking corporations, creating the department of banking and prescribing the duties and fixing the salaries of its officers and employees, and repealing Title 2, Part 4, of Division 1 of the Civil Code of Montana, entitled, 'Banks and Banking Corporations,' being the provisions of Sections 3909 to 4015, both numbers inclusive, Revised Codes of Montana, 1907, and all Acts amendatory thereof." Referred to Committee on Banks and Banking.

S. B. No. 124, Smith by request: "An Act to amend Section 4948 of the Revised Codes of Montana of 1907, relating to payment or other performance of obligations." Referred to Committee on Judiciary.

S. B. No. 125, Smith: "An Act to establish a game preserve in the Rocky Mountains to be known as the Twin Buttes Game Preserve, for the protection of game animals and birds, and providing a penalty for killing, hunting or pursuing any such animals or birds in such preserve." Referred to Committee on Fish and Game.

S. B. No. 126, Smith: "An Act to amend Section 8295 of the Revised Codes of Montana, 1907, relating to manslaughter." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 2, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committees with recommendations:

Committee on Enrollment reported Senate Bill No. 30, entitled, "An Act to amend Section 9029 of the Revised Codes of Montana, 1907, relating to the time within which an indictment for crime may be found or an information or complaint filed; and providing for excepting time during which the defendant is outside the State," as correctly enrolled. Report adopted.

Committee on Enrollment reported Senate Bill No. 4, entitled, "A Bill for an Act requiring an oath to be taken by persons testifying before Legislative Committee, and providing that false testimony given by such persons shall constitute perjury," as correctly enrolled. Report adopted.

Committee on Printing reported that Senate Bills Nos. 73, 79 and 88, are correctly printed. Report adopted.

Committee on Counties and Towns reported Senate Bill No. 78, introduced by Haley, entitled, "An Act to fix, define and determine the boundaries of

Prairie County, Montana," with the recommendation that the Bill be amended as follows:

Amend Section 1 on page 2, line 6, after the figures "53" by inserting the word and figures "54 and 55."

Amend by adding Section 2, to read as follows: "Section 2. That Sections 25, 26, 35 and 36 of Township 13, North, Range 56, East, and the North Half of Section 29 and all of Section 30 of Township 13, North, Range 57, East, be and the same is hereby declared to be a part of the County of Wibaux."

Amend by adding Section 3, to read as follows: "Section 3. That the boundaries of any and all counties adjoining or adjacent to the said Prairie County are hereby changed and altered to conform to the provisions of this Act."

Amend Section 2 to be Section 4 and to read as follows: "Section 4. All Acts and parts of Acts in conflict herewith are hereby repealed."

Amend by adding Section 5, to read as follows: "Section 5. This Act shall be in force from and after its passage and approval."

And that the Bill as so amended do pass. Report adopted.

Committee on Engrossed Bills reported Senate Bills Nos. 16 and 65 as correctly engrossed. Report adopted.

Committee on Counties, Towns and Municipal Corporations reported Senate Bill No. 76, introduced by Oliver, entitled, "An Act to create the County of Sykes; designate its boundaries, provide for its organization and government and to change the boundaries of Fallon County to conform thereto," with the recommendation that the Bill be amended as follows: This is to amend Section 1 of Senate Bill No. 76, beginning at line 5 in Section 1, by striking out lines 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, to the words "thence south" and inserting in lieu thereof the following:

"Beginning at the northwest corner of township 4 north of range 55 east, Montana principal meridian, and extending east along the north boundary line of township 4 north to the northwest corner of section 3, township 4, north of range 58 east, thence south along the section line between sections 3 and 4, 9 and 10, 16, 17, 21, 22, 27 and 28, 33 and 34, to the northwest corner of section 3, township 3, north of range 58 east, thence east along the north line of township 3 north to the northwest corner of section 3, township 3, north of range 59 east, thence south along the section line between sections 3 and 4, 9 and 10, 15 and 16, 21 and 22, 27 and 28, 33 and 34, to the northwest corner of section 3, township 2, north of range 59 east, thence east along the north boundary line of township 2, north to the northwest corner of section 3, township 2, north of range 61 east, thence south along the section line between sections 3 and 4, 9 and 10, 15 and 16, 21 and 22, 27 and 28, 33 and 34, to the northwest corner of section 3, township 1, north of range 61 east, thence east along the north boundary line of township 1, north to the intersection of the eastern boundary line of the State of Montana," and the Bill as so amended do pass.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 2, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in House amendments to House Bill No. 49, and same is returned herewith.

Respectfully,

J. F. CONE, Secretary of the Senate

Senate Chamber, Helena, Montana, February 2, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day signed the following Bills in open session:

House Bill No. 31.

Senate Bill No. 4.

Senate Bill No. 30.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 2, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body

that the following House Bills were this day read first and second times and referred as follows:

H. B. No. 23, entitled, "An Act to prohibit gambling on games played upon pool and billiard tables; to punish those who participate therein as well as those who conduct or carry on such games, and to provide for early closing of all pool halls, billiard halls, bowling alleys and other places where pool or billiards is played." Referred to Committee on Towns, Counties and Municipal Corporations.

H. B. No. 71, introduced by Bent, entitled, "An Act to provide free text books for the use of the pupils of the public schools, and high schools, at the expense of the districts, and to require the trustees and school boards of each district to purchase same and make rules governing the use of said books, and to allow them sold, at cost, for use of pupils when desired by parents or guardians; and to amend Section 1811, Chapter 76, Laws of the Thirteenth Legislative Assembly." Referred to Committee on Education.

H. B. No. 98, introduced by Carll, entitled, "An Act to amend Sections 1611, 1613 and 1618 of the Revised Statutes of the State of Montana, relating to the regulation of the practice of optometry, and to prevent ignorant, unprofessional or incompetent persons from practicing same." Referred to Committee on Sanitary Affairs.

H. B. No. 29, introduced by Mason, entitled, "An Act to amend Section 1739, Revised Codes of Montana of 1907, relating to hours of labor for municipalities, mines, mills and smelters." Referred to Committee on Labor and Capital.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 2, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in the House amendments to Senate Bills Nos. 18, 22 and 36.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 2, 1917.

(Afternoon Session).

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bill was this day reported from the Standing Committee with recommendation:

Committee on Counties and Towns reported Senate Bill No. 114, introduced by Slayton, entitled, "An Act to amend Sections 6449 and 6459 of the Revised Codes of the State of Montana of 1907, relating to the time of commencing actions, other than for the recovery of real estate," with the recommendation that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 2, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, titles agreed to, and are herewith transmitted to your Honorable Body for concurrence: S. B. No. 16, introduced by O'Shea and Morris. S. B. No. 65, introduced by Healy.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 2, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, titles agreed to: H. B. No. 58, introduced by Baxter. H. B. No. 68, introduced by Ashby. H. B. No. 74, introduced by Working. H. B. No. 62, introduced by Murray. H. J. M. No. 3, introduced by Harbert. Same are returned herewith.

Respectfully,

J. F. CONE, Secretary of the Senate.

Kehoe was given consent of the House to revert to Second Order of Business.

## NOTICES OF BILLS.

By Kehoe: "An Act to amend Section 3259 of the Revised Codes of the State of Montana of 1907, relating to the powers of city and town councils."

McMahon was given consent of the House to revert to Sixth Order of Business.

## MOTIONS AND RESOLUTIONS.

McMahon submitted the following Resolution:

WHEREAS, The House of Representatives of the Fifteenth Legislative Assembly of the State of Montana, has learned with profound regret of the death of the Honorable Jere J. Flanigan, an honored and respected member of this Assembly from the County of Silver Bow,

THEREFORE, BE IT RESOLVED by the House of Representatives that out of respect to the memory of our deceased colleague, the Speaker of this House do appoint a committee of ten to attend the funeral services of the deceased member, as Representatives of this House, and

BE IT FURTHER RESOLVED, That a Committee of three be appointed by the Speaker of the House to prepare suitable resolutions of respect concerning our deceased colleague, and

BE IT FURTHER RESOLVED, That this House of Representatives do stand adjourned until two o'clock P. M. on Monday, February Fifth, 1917.

Resolution adopted and Mr. Speaker appointed the following members as a Committee to attend the funeral of the Honorable Jere J. Flanigan: White, Fuller, Searles, Shaw, Blake, Rainey, Belden, Higgins, Murray, Kehoe, Andrew, Ball, Blodgett, Connolly, Crowley, Duffy, Grimes, Ironside, McMahon, O'Brien and Ward; and as a committee to draft resolutions: Belden, Lemmon and Lusk were appointed.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## THIRTY-SIXTH DAY

Monday, February 5, 1917.

House met at 2:00 P. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by the Chaplain.

Roll called: All members present.

Jensen, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the Thirty-fourth day and find the same correct, except for the Judiciary Committee report on H. B. No. 190, by Carll, a Bill for an Act amending an Act relating to the nomination for school trustees. In reference to the report of the Judiciary Committee on H. B. No. 190, we recommend that the same be stricken from the Journal and H. B. No. 190 returned to them, to be reported according to the rules of the House." Report adopted.

## COMMUNICATIONS AND PETITIONS.

A communication was received from Charles M. Crutchfield, Head Janitor, asking for additional help in order to properly take care of the janitor work under existing conditions.

Communication referred to Committee on House Employees.

## NOTICES OF BILLS.

By Belden: "A Bill for an Act to amend Section 3 of Chapter 140 of the Montana Session Laws of 1915 relating to the compensation of owners of livestock afflicted with communicable or contagious diseases when said livestock is killed according to law, and providing appropriations therefor and providing for a board of appraisers and fixing their compensation and the method of paying the same."



By Andersen: "An Act to amend Section 6551 of the Revised Codes of Montana of 1907, to-wit, of the Code of Civil Procedure, so as to provide for the pleading by any defendant of a cross-complaint against any of the other parties to the suit as well as new parties, for the issuance of summons thereon and the service of summons and cross-complaint, for pleading thereto, and against delays in connection therewith; and other purposes."

By Mason: "An Act requiring the publication in official county papers of the lists of adulterated and misbranded foods, beverages, candies, drugs and other preparations and products as reported by the State Board of Health."

By Belden: "An Act to provide for the publication, preservation and distribution of the debates and proceedings of the 1889 Constitutional Convention and to appropriate money to pay therefor."

By Andersen: "An Act to amend Chapter VI, Paragraph 601, Session Laws of 1913, by adding the study of elementary agriculture to the course of study in elementary schools."

By Hawks: "An Act establishing and defining definitely the boundary line between Wibaux and Dawson counties, Montana."

By Stimpert: "An Act prohibiting unfair competition or discrimination in the buying, selling, production, manufacturing or distribution of any commodity or product in general use and providing a penalty for the infraction of the provisions thereof, and providing that complaint may be made to the Attorney General of any violation of this Act by any corporation and requiring the Attorney General to forthwith investigate such complaint and to prosecute such corporation if the facts ascertained by him warrant such prosecution and providing for the annulment by the Court of the Charter of any corporation found guilty of unfair competition or discrimination."

By Shaw: "An Act to amend Section 2957 of the Revised Codes of the State of Montana of 1907, as amended by Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly, relating to the enumeration of county officers, and Section 3100 of the Revised Codes of the State of Montana of 1907, relating to the creation of the office of county auditor within certain counties in the State of Montana."

By Searles: "An Act making it an offense for any executive, legislative, judicial, ministerial or other officer of this State, or any district, county, city or other political subdivision of the State to appoint or vote for the appointment of any person related to him by affinity or consanguinity within the third degree to any clerkship, office position, employment or duty in any department or office of the State, or of any district, county, city or other political subdivision of the State of which the person making or participating in the appointment may be an officer or employee or to appoint any person so related to any other such office in consideration of the agreement or promise of such other officer to appoint any person so related to the officer making such appointment; prohibiting the payment of any public funds to any such ineligible person out of any public funds and providing for suitable punishment and removal from office for the violation of this Act."

By Ashby: "An Act to amend Chapter 85 of the Session Laws of the Eleventh Legislative Assembly of 1909; and also to amend Section 3118 of the Revised Codes of Montana of 1907, relating to the salary and compensation of deputy county officers and assistants."

By McMillan: "An Act to amend Sections 8397 and 8398 of the Laws of 1907, relating to disorderly houses."

By Farmer: "An Act to regulate the sales of livestock on commission, to provide for the bonding of livestock commission houses and sale yards, and providing for violation."

By Farmer: "An Act to provide for the compilation and revision of the Codes and Session Laws of the State of Montana, to provide for the publication of the same and to make an appropriation therefor."

By Andersen: "An Act to change the composition and membership of the board known as the 'Montana Highway Commission,' to do away with one member thereof and abolish his office, to provide that in case of division of opinion between the two members of said commission designated as regular members of said Commission, the Governor shall act as a member, or may appoint some other

person to act, for the time being, as a member of said commission, and making provisions regarding the session of said commission, and the compensation of persons acting on said commission, by amending Section 1 of the Act entitled 'An Act to establish a Montana State Highway Commission, defining its duties and powers and providing for its compensation. Providing for a State Highway Commission fund and appropriating money therefor,' approved March 13, 1913, and enacting additional provisions to effect the foregoing purposes."

By Hendersen: "An Act to amend Section 3 of Chapter 140 of the Montana Session Laws of 1915 relating to the compensation of owners of livestock afflicted with communicable or contagious diseases when said livestock is killed according to law, and making appropriations therefor, and providing for a board of appraisers and fixing their compensation and the method of paying the same."

By Harmon: "An Act to provide for the redistricting of the Third class school districts in each county; creating a rural school district in each county, composed of all third class districts and parts thereof as a unit for the purposes of administration and taxation; providing for the creation of sub-districts of rural districts for the purpose of local administration; providing for boards of trustees for rural school districts, and prescribing the manner of election, number, terms, powers and duties of said board of trustees; providing for the appointment of local trustees in sub-districts, and prescribing the powers and duties of the same; providing for taking over of funds, property and indebtedness of third class districts by the rural school districts; providing for the assumption and payment of all indebtedness of third class districts by the rural school district; providing for bonding of school districts for payment of indebtedness; and providing the manner of acceptance of the provisions of this Act by the people of the several counties; providing for the creation of second class districts from the territory of the rural school district; providing for traveling expenses, salary, organization and time of meeting of board of trustees of the rural school district."

By Holt: "Providing for a hail tax upon all agricultural land."

By Sand: "An Act to amend Section 4416 of the Revised Codes of the State of Montana, relating to the annual statement of foreign corporations and joint stock companies, and to amend Section 1 of Chapter 140 of the Laws of the Eleventh Legislative Assembly of the State of Montana."

By Kemmis: "An Act appropriating the sum of five hundred seven dollars and thirty-three cents (\$507.33) to refund to certain retail liquor dealers in Richland county for unexpired portion of liquor licenses."

By Kemmis: "An Act to provide for a high school tax and to provide for high school instruction in all counties not having county high schools."

By Gullidge: (By request) "An Act to change the dates upon which the school year shall begin and end, and the dates upon which certain public school reports shall be rendered."

By Husser: "A Bill giving to the State Board of Health power to require the analysis of waters furnished and sold to the public, and to provide rules and regulations for said analysis, and for the collection of samples of water, and to provide funds to cover the cost involved and to prescribe penalties for the violation of said rules and regulations."

By Husser: "An Act to amend Sections 7, 10 and 11, Chapter 130, Session Laws of 1911, relating to the sanitary condition of bakeries, confectionery shops, canneries, packing houses, slaughter houses, restaurants, noodle parlors, dining cars, lunch wagons or lunch counters; the method of procedure in condemning diseased meats; the issuing of licenses by the State Board of Health; and providing for inspections of such places of business."

#### REPORTS OF STANDING COMMITTEES.

Clark, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Joint Memorials Nos. 2 and 3, House Joint Resolutions Nos. 1, 2, and 4, and House Bills Nos. 58 and 74, beg leave to report same back as correctly enrolled. Report adopted.

On motion of Higgins, Fourth Order of Business was passed.

## INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 219, introduced by McDonald: "An Act to create the Eighteenth Judicial District of the State of Montana, to be composed of the counties of Teton and Toole; to change the boundaries of the Eighth Judicial District of the said State of Montana to conform thereto; and to provide for the appointment, powers, duties, term and compensation of the Judge of the said Eighteenth Judicial District." Read first and second time and referred to Judiciary Committee.

H. B. No. 220, introduced by Demel: A Bill for an Act entitled, "An Act providing for the payment of tuition of High School pupils by the district of their residence to the district where the High School is maintained." Read first and second time and referred to Committee on Education.

H. B. No. 221, introduced by Husser: A Bill for an Act entitled, "An Act to amend Section 3618 of the Revised Codes of the State of Montana; providing for a marriage license fee of two (\$2.00) Dollars to be paid into the State Board of Health Maintenance fund, and authorizing the Auditor to draw his warrant for claims against this fund." Read first and second time and referred to Judiciary Committee.

H. B. No. 222, introduced by Holt: A Bill for an Act entitled, "An Act to regulate the use of the term 'co-operative,' 'co-operation,' 'co-operator,' or 'farmer' when used as part of a corporated business name or title." Read first and second time and referred to Judiciary Committee.

H. B. No. 223, introduced by Husser: A Bill for an Act entitled, "An Act to create a child welfare division to be under the direct supervision of the State Board of Health prescribing its duties and powers and providing for its maintenance." Read first and second time and referred to Judiciary Committee.

H. B. No. 224, introduced by Kehoe: A Bill for an Act entitled, "An Act to amend Section 3259 of the Revised Codes of the State of Montana of 1907, relating to the powers of city and town councils." Read first and second time and referred to Judiciary Committee.

H. B. No. 225, introduced by Harmon: A Bill for an Act entitled, "An Act to amend Sections 1803 and 1805 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to contracts for supplying basal and supplementary text books." Read first and second time and referred to Committee on Printing.

H. B. No. 226, introduced by Dodds: A Bill for an Act entitled, "An Act to provide civil service for certain employees of the State of Montana and the counties and cities thereof; to provide for a civil service commission and to regulate its duties." Read first and second time and referred to Judiciary Committee.

H. B. No. 227, introduced by Lewis: A Bill for an Act entitled, "An Act to provide for the appointment by the District Judges throughout the State of probate commissioners, and to provide for assistance to relieve the District Courts of the State from over-burdened condition of probate calendars." Read first and second time and referred to Judiciary Committee.

H. B. No. 228, introduced by Sand: A Bill for an Act entitled, "An Act to amend Sections 4, 5, 7 and 9 of Chapter 147 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, 'An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof, and the management, protection and disposition of the timber growing thereon and the coal, oil and minerals therein; provided for the management and control of the funds realized from the sale and rental of state lands and the products thereof; naming and providing for certain officers subordinate to the State Board of Land Commissioners and prescribing their duties and compensation; providing for the acquisition of water rights for use upon state lands; and defining and providing for the punishment of certain offenses for violating the provisions of this Act,' approved March 19, 1909." Read first and second time and referred to Committee on State Lands.

Mr. Speaker gave notice that he was about to sign Senate Bills Nos. 22, 18, 30, 4, 36 and 38, and signed same in the presence of the House.



## MOTIONS AND RESOLUTIONS.

Higgins: In view of the grave situation of the United States in its relations with one of the great world powers, I move that a Committee of three members of the House be appointed, to act with a like committee of the Senate, to draft a suitable resolution pledging our faith in the President and Congress of the United States to guide the nation in the present crisis, and pledging further the united support of the people of the State of Montana in upholding whatever action the President and Congress may deem necessary to maintain the integrity and honor of this nation. Motion carried.

Lusk: I move that all resolutions relative to the previous motion be referred, without reading, to the committee, when appointed. Motion carried.

Mr. Speaker appointed Higgins, Harbert and Mason as a committee to act with a like committee from the Senate in drafting a suitable resolution.

Mason: Whereas, the House of Representatives of the Fifteenth Legislative Assembly of the State of Montana, has learned with profound regret of the sudden death by accident of Wendell Larse, the beloved son of G. W. Larse, one of the honored and respected members of this Assembly, and that Representative Larse has been called to attend the funeral of his son, I do therefore move that the sympathy and condolence of this Assembly be extended to Mr. Larse in his hour of trouble and grief, and that a committee of three be appointed by the Speaker to draft proper resolutions of respect and sympathy.

Motion carried and Mr. Speaker appointed Weil, Eliel and Demel as a committee to draft suitable resolutions.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 76, 82, 161, 166, 86, 148, 97, 143, 89, 138, 151, 123 and 155, beg leave to report that same have been correctly printed.

Report adopted and Bills placed on General Orders.

On motion of Stimpert, House recessed at 2:40 until 7:30 P. M.

## EVENING SESSION.

House reassembled at 7:30 P. M.

Mr. Speaker in the chair.

## REPORTS OF STANDING COMMITTEES.

Husser, from the Committee on Public Health and Sanitary Affairs, reported as follows:

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration Senate Bill No. 23, by Annin, a Bill for an Act entitled, "An Act to amend Section 12 of Chapter 134 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, being an Act to regulate the practice of pharmacy and regulating the manufacture and sale of drugs and medicines in the State of Montana, and providing penalties for the violation of this Act," respectfully beg leave to report the same back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on Calendar for Third Reading.

Husser, from the Committee on Public Health and Sanitary Affairs, reported as follows:

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 81, by Holt, a Bill for an Act entitled, "An Act providing for the installation of sanitary drinking fountains in all hotels, located in towns or cities in this State, wherein a water works system has been or may hereafter be installed, and providing penalties for failure to comply herewith," respectfully beg leave to report the same back to the House with the recommendation that it do pass.

Report adopted and Bill placed on General Orders.

Husser, from the Committee on Public Health and Sanitary Affairs, reported as follows:

Mr. Speaker: We, your Committee on Sanitary Affairs, having had under consideration House Bill No. 165, the same being a Bill for an Act entitled, "An



Act relating to the practice of pharmacy in the State of Montana and authorizing the registration as assistant registered pharmacists by the State Board of Pharmacy of the State of Montana of persons who present diplomas of graduation from the School of Pharmacy of the University of Montana and pay the regular fees for such registration," beg to report same back with the recommendation that Bill do pass.

Report adopted and Bill referred to Printing Committee.

Husser, from the Committee on Public Health and Sanitary Affairs, reported as follows:

Mr. Speaker: We, your Committee on Sanitary Affairs, having had under consideration House Bill No. 216, same being a Bill for an Act entitled, "An Act requiring all persons who keep or maintain a dairy or dairy-farm, or who sell milk or cream to secure a license; conferring duties upon the State Board of Health, and to provide a fee for such license; and to provide penalties for violation thereof," beg to report same back with the recommendation that Bill do pass.

Report adopted and Bill referred to Printing Committee.

Hathaway, from the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, to whom was referred House Bill No. 211, introduced by Lewis, entitled, "An Act declaring all buildings and places nuisances, wherein or upon which acts of lewdness, assignation or prostitution are held or occur, or which are used for such purposes, or wherein or upon which any gambling is conducted or carried on, contrary to any of the laws of the State of Montana, or wherein any wine rooms are maintained, contrary to Sections 8376, 8377, 8384, 8385 and 8386 of the Revised Codes of Montana of 1907 or to any of the laws of the State of Montana, and providing for the abatement and prevention of such nuisances, by injunction or otherwise, recommend that same be reported back to the House with the recommendation that it do pass, amended as follows: In Section 3, last line, after the word "maintaining" insert the words "or permitting."

Report adopted and Bill referred to Printing Committee.

Crismas, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 90, introduced by Ashby, being a Bill for an Act entitled, "An Act to provide for the payment to Thomas Daly of the sum of Twelve Hundred Dollars for reimbursement of moneys paid by him in satisfaction of a judgment for Twenty-five Hundred Dollars rendered against him for damages in performance of his duties as a Deputy State Fire Marshal," having had said Bill under consideration hereby beg leave to report said Bill back to the House without recommendation and ask that same be placed on General Orders."

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 209, by Judiciary Committee, entitled, "An Act to amend Section 6244 of the Revised Codes of Montana, 1907, providing for two additional Justices of the Supreme Court and providing for their appointment and term of office," respectfully beg leave to report as follows: That it be referred back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 208, by Judiciary Committee, entitled, "An Act to amend Section 6594 of the Revised Codes of Montana of 1907, relating to service of notice," respectfully beg leave to report as follows: That it be referred back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 208, by Judiciary Committee, entitled, "An Act to amend Section 6594 of the Revised Codes of Montana of 1907, relating to service of notice," respectfully beg leave to report as follows: That it be referred back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 194, by Huffaker, entitled, "An Act to amend Section 2651 of the Revised Codes of Montana of 1907, relating to notice of application for tax deeds," respectfully beg leave to report as follows: That it be referred back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 200, by Belden, entitled "An Act to provide for the creation of a commission on uniform state laws, the appointment of commissioners thereto and the payment of the expenses of such commissioners," respectfully beg leave to report as follows: That this Bill be referred back to the House with the recommendation that it do pass and be re-referred to the Appropriation Committee. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 217, by Murray, entitled, "An Act to amend Section 79 of Chapter 1, of the Revised Codes of the State of Montana, 1915, by inserting after the words 'Assistant Journal Clerk,' the words 'Assistant Enrolling Clerk and Assistant Engrossing Clerk,' respectfully beg leave to report as follows: That it be referred back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 141, by Charles Andersen, entitled, "An Act authorizing the Board of Railroad Commissioners to appoint an attorney to act in that capacity for and under the direction of the Board of Railroad Commissioners and Public Service Commission of the State of Montana, and defining the duties and fixing the salary of such attorney," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 3, by Brower, "A Bill for an Act to amend Section 2 and 3 of Chapter 83 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, 'An Act to provide for the regulation of sale of articles by weight, measure and numerical count, within the State of Montana, creating the office of State Sealer of Weights and Measures, providing the duties and powers of such State Sealer of Weights and Measures; providing penalties for the violation of the provisions of this Act and repealing the provisions of Chapter 34 of the Laws of the Twelfth Legislative Assembly,' approved March 13, 1913," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on calendar for Third reading.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred H. B. No. 160, beg leave to report the same has been correctly printed.

Report adopted and Bill placed on General Orders.

#### READING OF SENATE BILLS AND MEMORIALS.

S. J. R. No. 3, read first and second time and referred to Committee on Federal Relations.

S. B. No. 11, read first and second time and referred to Committee on Judiciary.

S. B. No. 26, read first and second time and referred to Committee on Printing.

S. B. No. 27, read first and second time and referred to Committee on Judiciary.

S. B. No. 41 (substitute), read first and second time and referred to Committee on Judiciary.

S. B. No. 50, read first and second time and referred to Committee on Federal Relations.

S. B. No. 5, read first and second time and referred to Committee on Insurance.

S. B. No. 67, read first and second time and referred to Committee on Judiciary.

S. B. No. 29, read first and second time and referred to Committee on Labor.

#### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 229, introduced by Gullidge: A Bill for an Act entitled, "An Act to amend Sections 800, 900, 903, 905, 906, 907, 908, 909 and 910, to repeal Sections 108, and sub-division 7 of Section 106 and to add a new section to be known as Section 911, of Chapter 76 of the Session Laws of 1913, providing for the certification of Public School Teachers, and establishing the State Board of Educational Examiners, and establishing the Teachers' Certificate Fund, and providing for the expenditure of the same." Read first and second time and referred to Committee on Education.

#### MOTIONS AND RESOLUTIONS.

The Committee appointed to draft resolutions on the death of Wendell Larse, son of Representative Larse, submitted the following:

WHEREAS, The House of Representatives has learned with profound sorrow of the shocking accident which resulted in the death of Wendell Larse, son of G. W. Larse, member of this House from the County of Sanders,

AND WHEREAS, the circumstances attending this accident render the crushing blow sustained by our associate especially sad and distressing,

THEREFORE, BE IT RESOLVED, that the sympathy and condolence of this House be extended to our honored associate, G. W. Larse, and his family, in this the hour of their grief and affliction.

The Chief Clerk is hereby instructed to transmit this Resolution to the Honorable G. W. Larse and his family.

C. A. WEIL,  
C. W. DEMEL,  
FRANK ELIEL.

Resolution adopted.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 5, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Haley: "An Act providing that patents and certificates of purchase for lands sold or conveyed by the State of Montana, shall contain a reservation of the State of Montana of all the mineral deposits contained therein together with the right to prospect for, mine and remove said mineral deposits, said rights so reserved to be subject to disposal of the State of Montana."

By Heren: "An Act to amend Section 585 of the Revised Codes of the State of Montana."

By Annin: "An Act to amend Section 2973, Revised Codes of Montana, 1907, relating to the classification of counties."

By Morris: "An Act to create the 18th Judicial District of the State of Montana to be composed of the counties of Hill and Blaine and to provide and designate the powers, duties, term and compensation of the judge of said 18th Judicial District of the State of Montana, and to provide that the 12th Judicial District of the State of Montana shall hereafter embrace the territory within the County of Chouteau."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 5, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

Senate Bill No. 127, introduced by Jones, "An Act to provide for the revision and recompilation of the Laws of the State of Montana, and the appointment of a commission therefor, and providing for an appropriation to pay the cost thereof." Referred to Committee on Finance and Claims.

Senate Bill No. 128, by Brower, "An Act to amend Section one of Chapter 63 of the Acts of the Thirteenth Legislative Assembly, approved March 8, 1913, relating to inspection of steamboats, ferry boats and the control of navigation." Referred to Committee on Railroads and Transportation.

Senate Bill No. 129, by Roberts (by request), "An Act to amend Section 4 of Chapter 82 of the Session Laws of 1913, concerning the practice of veterinary medicine." Referred to Committee on Judiciary.

Senate Bill No. 130, by Featherly, "An Act to amend Sections 2139 and 2140 of the Revised Codes of the State of Montana relating to dams and reservoirs." Referred to Committee on Irrigation and Water Rights.

Senate Bill No. 131, by Kane, "An Act to amend Section 1 of Chapter 44 of the Session Laws of the Eleventh Legislative Assembly found at page 53, an Act to provide for the payment of the actual expenses of county assessors incurred in the performance of official duty." Referred to Committee on Judiciary.

Senate Bill No. 132, by Joint Committee on Stock Growing and Grazing, "An Act to consolidate the Board of Stock Commissioners and the Board of Sheep Commissioners, and to create a board to be known as the Live Stock Commission, and to provide for the appointment and qualification of its members and prescribing their duties, and creating a fund to be known as the Live Stock Commission fund, and to repeal Sections 1782, 1783, 1784, 1785, 1786, 1787, 1788 and 1789 of the Revised Codes of Montana of 1907, relating to the Board of Stock Commissioners, and Sections 1854, 1855, 1856, 1857, 1858, 1860 and 1861, of the Revised Codes of Montana of 1907, relating to the appointment and duties of the Board of Sheep Commissioners." Referred to Committee on Stock Growing.

Senate Joint Resolution No. 4, by Edwards, a Resolution relating to international Affairs. Read and adopted and transferred to House for concurrence.

Senate Bill No. 133, by Joint Committee on Stock Growing and Grazing: "An Act to provide for the appointment of the members of the Live Stock Sanitary Board and prescribing their powers and duties; to provide for the appointment of deputy state veterinary surgeons, inspectors, specialists, and other agents of the board and prescribing their powers and duties; to provide regulations and methods for the eradication or prevention of disease in domestic or other animals, their quarantine inspection and treatment; to provide for the destruction of animals diseased or exposed to disease, together with the destruction of other property, and compensation therefor; to regulate public buck herds; to provide for tuberculin testing of dairy cattle, and other regulations for the protection of domestic animals and live stock; to prescribe penalties for the violation of this Act and to repeal Sections 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1875, 1876, 1877, 1878, 1879, 1880, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902 and 1903 of the Revised Codes of Montana, 1907, Chapter 146, of the Session Laws of 1911: Chapter 68, 90, and 123 of the Session Laws of 1913; and Chapter 9 and 140 of the Session Laws of 1915." Referred to Committee on Stock Growing.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 5, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committee with recommendations:

Committee on Agriculture reported Senate Bill No. 99, introduced by Whiteside, entitled, "An Act to permit co-operative associations organized under the laws of the State of Montana, to consolidate their interests and capital stock, and



designating the procedure to be followed to effect such consolidation," with the recommendation that the Bill do pass. Report adopted.

Committee on Education reported Senate Bill No. 83, introduced by Edwards, entitled, "An Act to provide for the preservation, collections and publications of historical facts of the early settlement of the State of Montana," with the recommendation that the Bill do pass. Report adopted.

Committee on Education reported Senate Bill No. 35, introduced by Haley, entitled, "An Act to repeal Chapter 95 of the Laws of the Fourteenth Legislative Assembly entitled an Act creating certain funds in the State Treasury to provide for retirement of public school teachers; providing for the creation of these funds by contribution from teachers, investment of funds, gifts to funds, and appropriations; providing for the custody and management of these funds; providing for the collection, condition of investment and condition of distribution of the funds; providing for the creation of boards to have charge of the funds, and prescribing the duties and powers of such boards; providing for place of meeting of such board; providing for help and expenditures for such board in meeting and carrying out the provisions of this Act; providing conditions under which teachers may receive distribution of these funds, including the amount of time and term of payment," with the recommendation that the Bill do pass. Report adopted.

Committee on Enrollment reported Senate Bills Nos. 18, 22, 36 and 38 correctly enrolled. Report adopted.

Committee on Banks and Banking reported Senate Bill No. 84, introduced by Whiteside, entitled, "An Act to provide a maximum rate of interest on loans of money or evidences of debt; providing a penalty for violation thereof, and repealing Chapter 36 of the Laws of the Thirteenth Legislative Assembly of 1913, and repealing Section 5212 of the Revised Codes of Montana of 1907," with the recommendation that the Bill be indefinitely postponed. Report adopted.

Committee on Education reported Senate Bill No. 111, introduced by Whiteside, entitled, "An Act to provide for Junior College courses and a Normal Training course in High Schools, and to prescribe the method of meeting the expense of such courses," with the recommendation that the Bill be amended as follows:

Senate Bill No. 111. Amend by striking out all of the title after the word "Schools" in the third line, and insert in lieu thereof the following, "Provided that such High Schools shall be free to all children of the respective counties, and fixing requirements upon which teachers' certificates may be issued after July first, 1920."

Senate Bill No. 111. Amend Section 1 by striking out all of said Section after the third line.

Senate Bill No. 111. Amend by striking out all of Sections 7 and 8 and designating the remaining Sections in numerical order, and the Bill as so amended do pass. Report adopted.

Committee on Education reported Senate Bill No. 93, introduced by Oliver, entitled, "An Act to amend Section 300, Subdivision 9 of Section 302; Subdivisions 1 and 10 of Section 502 and Section 509, Subdivision 4 of Section 512; Subdivision 6 of Chapter 803; Section 904; Articles 2, b and c of Subdivision 1, Section 905; Sections 1000, 1003 and Section 1500 and to repeal Sections 801 and 1004 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly; and to repeal Chapter 19 of the Session Laws of the Thirteenth Legislative Assembly, relating to district school elections," with the recommendation that the Bill be amended as follows:

Senate Bill No. 93. Amend the title by striking out the words and figures "Subdivision 6 of Chapter 803."

Senate Bill No. 93. Amend Section 1 by striking out Subdivision 6 of Chapter 803, and that Subdivision 1 of Section 905 be amended by inserting after the words "this certificate" in line 9 on page 6, the following words, "shall be issued for a period of two years and" and the Bill with these amendments do pass. Report adopted.

Committee on Education reported Senate Bill No. 109, introduced by Oliver, entitled, "An Act to amend Subdivision 4 of Section 507 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana,

relating to the powers of school trustees to conduct night schools," with the recommendation that the Bill be indefinitely postponed. Report adopted.

Committee on Finance and Claims reported Senate Bill No. 110, introduced by Whiteside, entitled "An Act to appropriate money for the construction of a building to be used as a dormitory, library and assembly hall at the State Soldiers' Home," with the recommendation that the Bill be amended as follows: Senate Bill No. 110. Amend by striking out the words "Ten Thousand Dollars" and the figures "\$10,000" following the first word "that" in line one (1) of Section 1, and inserting in lieu thereof, the words "Eighteen Thousand Dollars" and the figures "\$18,000," and the Bill as so amended do pass. Report adopted.

Committee on Finance and Claims reported Senate Bill No. 112, introduced by Williams, entitled, "An Act to amend Sections 1 and 3 of Chapter 86 of the Laws of the Fourteenth Legislative Assembly, being an Act to provide for financial aid in the care of dependent children in their own homes under the direct control of the mothers of such children, whose fathers are dead or inmates of some Montana State Institution of Charity or Correction or who are physically or mentally unable to provide for said children, or whose mothers are solely dependent upon labor for support," with the recommendation that the Bill be amended as follows: Senate Bill No. 112. Amend the title by adding the words following the word "children" in line ten (10) "for a period of ninety days or more." Senate Bill No. 112. Amend Section 1, in line 6, following the words "who has" by adding the words "for a period of ninety days or more." Senate Bill No. 112. Amend by adding another Section to be numbered seven (7) as follows: "Section 7. No person shall receive the benefit of this Act, who shall not have been a resident of the county in which such application is made, for at least ninety (90) days next before making such application for such allowance," and that the Bill as so amended do pass. Report adopted.

Committee on Banks and Banking reported Senate Bill No. 45, introduced by Kinney, entitled, "An Act to amend Section 50 of Chapter 89 of the Laws of 1915 entitled, 'An Act regulating the business of banking, providing for the creation and regulation of banking corporations, creating the department of banking and prescribing the duties and fixing the salaries of its officers and employees, and repealing Title II, Part IV of Division 1 of the Civil Code of Montana, entitled "Banks and Banking Corporations," being the provisions of Sections 2209 to 4015 both numbers inclusive, Revised Codes of Montana, 1907, and all Acts amendatory thereof,' relative to the designation of Reserve Banks," with the recommendation that the Bill be amended as follows: Senate Bill No. 45. Amend by adding "Provided that debentures or certificates of indebtedness issued by any Investment Company to run for a period of three years or more, shall be included in the deposit liabilities of said investment company as affected by the provisions of this Section," and that the Bill as so amended do pass. Report adopted.

Committee on Banks and Banking reported Senate Bill No. 101, introduced by Morris, entitled, "An Act regulating the forwarding of negotiable instruments for collection," with the recommendation that the Bill do pass. Report adopted.

Committee on Printing reported Senate Bills Nos. 95, 104, 63, 19, 64, 6, 75 and 10, correctly printed. Report adopted.

Committee on Engrossed Bills reported Senate Joint Resolution No. 3, and Senate Bills Nos. 11, 26, 27, 41, 50, 81, 5, 67 and 29 as correctly engrossed. Report adopted.

Committee on Counties and Towns reported Senate Bill No. 58, introduced by Jones, entitled, "An Act to create the County of Wheatland, designate its boundaries, and provide for its organization and government, and to change the boundaries of Meagher and Sweet Grass counties to conform thereto," with the recommendation that the Bill be printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 5, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committees:

Committee on Printing reported Senate Bills Nos. 92, 76, 58 and 114, as correctly printed. Report adopted.

Joint Committee on Stock Growing and Grazing reported Senate Bill No. 132, introduced by Joint Committee on Stock Growing and Grazing Committee; with recommendation that Bill do pass. Report adopted.

Also Senate Bill No. 133, introduced by the Joint Stock Growing and Grazing Committee, with recommendation that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 5, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported from the Standing Committees with recommendations:

Committee on Education, to whom was referred House Bill No. 71, introduced by Bent, entitled, "An Act to provide free text books for the use of the pupils of the public schools, and High Schools at the expense of the district, and to require the trustees and school boards of each district to purchase same, and make rules governing the use of said books and to allow them sold, at cost, for use of pupils when desired by parents or guardians; and to amend Section 1811, Chapter 76, Laws of the Thirteenth Legislative Assembly," reported same back with the recommendation that the Bill be concurred in. Report adopted.

Committee on Taxation, to whom was referred House Bill No. 17, entitled, "An Act to amend and re-enact Section 2616 of the Revised Codes of 1907 of Montana, relating to the collection of taxes by the county treasurer, and the manner of giving notice of the amount due, the amount delinquent, when delinquent and the penalty added in case of delinquency," introduced by Working, reported same back with the recommendation that the Bill be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 5, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 50, introduced by Farmer, was this day read first and second time and referred to Committee on Judiciary.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 5, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills having this day been read three several times and passed, titles agreed to, are herewith transmitted to your Honorable Body for concurrence:

S. J. R. No. 3, introduced by Hogan.

S. B. No. 11, introduced by Edwards.

S. B. No. 26, introduced by Williams.

S. B. No. 27, introduced by Clark.

S. B. No. 41, introduced by Burla.

S. B. No. 50, introduced by Morris.

S. B. No. 5, introduced by O'Shea.

S. B. No. 67, introduced by Judiciary Committee.

S. B. No. 29, introduced by Oliver.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 5, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Joint Resolution No. 4, introduced by Edwards, was this day read and adopted and same is herewith transmitted to your Honorable Body for concurrence.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 5, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in House Amendments to Senate Bill No. 15, introduced by Larson.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 5, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day signed in open session the following Bills:

Senate Bill No. 18; Senate Bill No. 22; Senate Bill No. 36; Senate Bill No. 38.

Respectfully,

J. F. CONE, Secretary of the Senate.

Higgins submitted the following Special Committee report:

Mr. Speaker: We, your special committee appointed to draw resolutions of endorsement of the action of the President and Congress of the United States in the recent policy with reference to the attitude of this country toward one of the warring nations in the European war, beg leave to report that the Senate has passed a Joint Resolution on this subject and your committee recommends the passage of same." Report adopted.

Mason, from the Committee on Judiciary, was given consent to submit the following report:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 20, by Edwards, being a Bill for an Act entitled, "An Act to provide for the issuance by the State of Montana of official bonds for all public officials elective and appointive of the state and of each and every political subdivision thereof; to provide for the creation of a state board of official bonds; to provide for the duties of public officers in connection therewith; to provide for the payment of premiums on such official bonds, and for the adjustment and settlement of liabilities incurred thereby; and to prevent any other manner of bonding public officials," respectfully beg leave to report back to the House with the recommendation that the same be indefinitely postponed. Report adopted.

Higgins: I move the present consideration of S. J. R. No. 4. Motion carried.

#### SENATE JOINT RESOLUTION NO. 4. INTRODUCED BY EDWARDS.

WHEREAS, It is apparent that our nation is facing a great international crisis, and that despite our persistent efforts to maintain peace and good will with all the world, we are compelled to meet a situation that threatens the tranquillity of our relations with other world powers; and

WHEREAS, A part of the press and people of the great European nations seem to mistake our democratic method of free and vigorous discussion of internal and external problems, for a lack of national unity; and

WHEREAS, It is important at this time that all the world should know that no consideration of previous association, of foreign birth, or even the ties of kindred and of blood outweighs in the hearts and minds of our people the loyalty and love which they feel for this nation that has given to us all the greatest measure of freedom and opportunity ever bestowed on any people in the world's history:

THEREFORE, BE IT RESOLVED, That the people of the State of Montana, speaking through their servants, the members of the Legislative Assembly, communicate to the President of the United States and through him to all the world, our unquestioned, undivided and unanimous support in whatever course the exigencies of the situation require; and be it

FURTHER RESOLVED, That while we hope and pray for peace with all the world, we pledge ourselves, severally and collectively, and in our representative capacity, with all our resources, as individuals, and as a commonwealth to the unequivocal and undivided support of the nation; and be it

FURTHER RESOLVED, That a copy of this resolution be forwarded to the President of the United States.

On motion of Higgins, Resolution was concurred in.

On motion of Higgins, Ninth Order of Business was passed.

Higgins: I move that the House resolve itself into a Committee of the Whole for the consideration of General Orders; that general debate on any Bill on General Orders, except H. B. No. 155, be confined to ten minutes, and debate in favor of or against any amendment to any Bill be limited to five minutes, but permitting five minutes to proposer of any amendment to close the debate on same. Motion carried.



## GENERAL ORDERS.

Lusk in the chair.

House resumed.

Mr. Speaker in the chair.

Lusk, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 60, by Burla, entitled, "An Act to amend Section 1 of Chapter 14 of the Laws of the Fourteenth Legislative Assembly, entitled, an Act providing for indeterminate sentences of persons convicted of crime, and for the parole of such persons, and prescribing the duties of officials in connection therewith," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration H. B. No. 142, by Morrow, entitled, "An Act to amend Sections 9391, 9393 and 9394 of Chapter 2, Title IX, Penal Code, of the Revised Codes of the State of Montana, 1907, changing place of execution of the death penalty from the county in which defendant was sentenced to the State penitentiary, and prescribing return on death warrant," report same back to the House with the recommendation that Section 2 thereof be amended by striking out in line 20 the word "defendant" and inserting in lieu thereof the word "condemned," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 76, by O'Brien, entitled, "An Act to extend and define the boundaries of Silver Bow County, and to alter the boundaries of Deer Lodge County to conform thereto," report same back to the House with the recommendation that it do pass.

Also, H. B. No. 161, entitled, "An Act providing for the levy of school district taxes in excess of ten mills, when authorized by a vote of the qualified electors of such district, who are tax paying freeholders therein," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 166, by Higgins, entitled, "An Act to amend Section 3454 of the Revised Codes of Montana, 1907, relating to elections and qualifications of voters," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 86, by Working, entitled, "An Act to amend Section 3169 of the Revised Codes of Montana of 1907, relating to the fees of the clerk of the district court," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 82, by Rainey, entitled, "An Act to amend Section 7731 of the Revised Codes of the State of Montana, relating to the payment of inheritance tax to County Treasurers and receipts," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 148, by Kemmis, entitled, "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section Six of Article XIII of the Constitution of the State of Montana relating to indebtedness of cities, towns, townships and school districts," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 97, by Holt, entitled, "An Act to amend Section 4076 of the Revised Codes of the State of Montana of 1907, relating to the incorporation of mutual hail insurance of growing crops against loss or damage by hail and farm improvements by fire," report same back to the House with the recommendation that Section 1 thereof be amended by inserting in line 7, after the word "hail" the following: "Any number of persons, not less than one hundred, residing in the State of Montana, may form an incorporated company for the purpose of mutual insurance of," and by adding, after the word "farm" in line 7, the words "improvements and," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 143, by Bent, entitled, "An Act to amend Section 8346, Revised Codes of 1907, concerning the desertion or abandonment of children and prescribing penalties," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 89, by Dodds, entitled, "An Act to provide ways and means of compelling support of a wife, child or children, ward or wards, by the husband, parent or guardian, and providing penalties for failure to so provide, and repealing Section 8345 of the Revised Codes of Mon-

tana of 1907," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 138, by Searles, entitled, "An Act to appropriate money for the maintenance, improvement and operation of the fish hatcheries of the State of Montana, and for the expense of the Montana Fish Commission, and purchase of equipment," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 151, by O'Brien, entitled, "An Act to provide for the payment of wages of employees and to provide penalties for violations hereof," report same back to the House with the recommendation that the enacting clause be stricken therefrom.

Also, having had under consideration H. B. No. 123, by Henderson, entitled, "An Act establishing and defining the boundary line between Dawson county and Rosebud county, State of Montana," report same back to the House with the recommendation that it do pass. Report adopted.

Belden was given unanimous consent to revert to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

The following Resolution, on the death of the Honorable Jere J. Flanigan, was read and adopted by a standing vote of all members of the House:

WHEREAS, It is with feelings of keenest sorrow and deep regret that we have learned of the death of a fellow member of this House, Honorable Jere J. Flanigan of Silver Bow County; and

WHEREAS, We appreciate how weak and fruitless are any words of ours to extend to the relatives of our deceased member the sympathy we feel in their hour of deep affliction; it is the memory of his unselfish life, which was surrendered up while at his post of duty engaged in distinguished service to his State, that we can pay our heartfelt tribute to our late colleague.

His spirit of fortitude and kindly disposition during the years of his affliction will be to us an example worthy of emulation;

THEREFORE, BE IT RESOLVED, That the House of Representatives of the Fifteenth Legislative Assembly take this occasion to express their profound sorrow and their sincerest sympathy to the heartbroken relatives of the deceased; and

BE IT FURTHER RESOLVED, That a copy of these Resolutions be spread upon the Journal of the House, and copies thereof be furnished to the Press of the State and relatives of the deceased.

O. W. BELDEN,  
ADDISON K. LUSK,  
C. A. LEMMON,  
Committee.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 49, introduced by Demel, beg leave to report same back as correctly enrolled. Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 49, 58 and 74, House Joint Resolutions Nos. 1, 2 and 4, and House Joint Memorials Nos. 2 and 3, and signed same in the presence of the House.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 6, 36, 63, 72, 79, 84 and 133, beg leave to report same back as correctly engrossed.

Report adopted and Bills placed on Calendar for Third reading.

On motion of White, House adjourned at 9:45 P. M. until 10:00 A. M., Tuesday, February 6, 1917.

J. F. O'CONNOR, Speaker.  
C. H. TREACY, Chief Clerk.

## THIRTY-SEVENTH DAY

Tuesday, February 6, 1917.

House met at 10:00 A. M., pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by the Chaplain.

Roll called. All members present.

Blodgett, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the Thirty-sixth day and find same to be correct. Report adopted.

## NOTICES OF BILLS.

By Dodds: "An Act to amend Section 302, Subdivision 19 of Chapter 76 of the Session Laws of 1913, relating to the appointment of clerk, and adding Subdivision 20, relating to the appointment of a deputy county superintendent."

By Prosser: "An Act to abolish exemptions from attachment and execution in connection with contracts for common necessities of life."

By Murray: "An Act creating the office of State Inspector of Masonry, Public Buildings and Works, prescribing the qualifications and compensation of the incumbent thereof, and fixing and defining the duties."

By Eaton: "A Joint House Resolution memorializing Congress relative to the loaning of the funds of the Postal Savings banks directly to the public school districts."

By Rainey: "An Act to repeal Section 4198 of the Revised Codes of Montana, 1907, relating to the taxation of property of building and loan associations, and all acts amendatory thereof."

By Ironside: "An Act to encourage patriotism and to cause those who would enjoy the pursuit of happiness and acquire prosperity in Montana to first manifest their intention to become citizens of the United States, and to that end prevent those who will not do so from seeking or accepting employment in Montana, and to prevent the people of Montana from hiring such persons, and to punish violations of this Act."

By Duffy: "An Act to authorize school boards in cities of the first and second class to establish free night schools. To define the manner of organization, powers and duties of school boards in creating same, providing for the maintenance, mill-tax appropriation, collection and segregation thereof and further providing for the requirements for admission of pupils. To also provide for an appropriation to help carry on the aforesaid free night schools."

By Spain: "An Act to regulate the sale and distribution of tuberculin."

By Charles Andersen: "An Act to amend Section 2 of Chapter 25, of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana entitled, 'An Act to secure for threshermen a lien upon grain and other crops threshed by them for their compensation, and to provide for the filing and foreclosure of said liens.'"

By Deibel: "An Act to amend Section 435 of the Revised Codes of the State of Montana, of 1907, relating to payment of salaries of officers."

By Farmer: "An Act to amend Section 9006 (1545), Revised Codes of Montana, 1907, relating to the removal of public officers by summary proceedings, by adding to such Section a proviso conferring certain powers upon the Governor in relation thereto."

By Farmer: "An Act providing that in an action to recover damages for injury to the person, the court or judge may order a physical examination of the injured person by competent physicians or surgeons who may testify as witnesses in such action."

## REPORTS OF STANDING COMMITTEES.

Searles, from the Committee on House Employees, reported as follows:

Mr. Speaker: We, your Committee on House Employees, beg leave to report that we have named the following employee, Lee Wood, assistant janitor. Report adopted.

## INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 220, introduced by Gullidge: A Bill for an Act entitled, "An Act to change the dates upon which the school year shall begin and end, and the dates upon which certain public school reports shall be rendered." Read first and second time and referred to Committee on Education.

H. B. No. 231, introduced by Blodgett: A Bill for an Act entitled, "An Act to amend Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana. Said Chapter 112 being, 'An Act to amend Sections 2957 and 3116 of the Revised Codes of Montana of 1907, entitled, an Act enumerating county officers and fixing the compensation of such officers according to classification of counties.'" Read first and second time and referred to Judiciary Committee.

H. B. No. 232, introduced by Bernard: A Bill for an Act entitled, "An Act to provide for teacher training in certain accredited high schools, to license the graduates thereof to teach in the public schools of the State of Montana under certain conditions, and appropriating money therefor." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 233, introduced by Husser: A Bill for an Act entitled, "An Act giving to the State Board of Health power to require the analysis of waters furnished and sold to the public and to provide rules and regulations for said analysis, and for the collection of samples of water, and to provide funds to cover the cost involved and to prescribe penalties for the violation of said rules and regulations." Read first and second time and referred to Committee on Sanitary Affairs.

H. B. No. 234, introduced by Belden: A Bill for an Act entitled, "A Bill for an Act to amend Section three of Chapter 140 of the Montana Session Laws of 1915, relating to the compensation of owners of livestock afflicted with communicable or contagious diseases when said livestock is killed according to law, and making appropriations therefor, and providing for a Board of Appraisers and fixing their compensation and the method of paying the same." Read first and second time at length and referred to Appropriations Committee.

H. B. No. 235, introduced by Sand: A bill for an Act entitled, "An Act to amend Section 4416 of the Revised Codes of the State of Montana, relating to the annual statement of foreign corporations and joint stock companies, and to amend Section 1 of Chapter 140 of the Laws of the Eleventh Legislative Assembly of the State of Montana." Read first and second time and referred to Committee on Corporations other than Municipal."

H. B. No. 236, introduced by Husser. A Bill for an Act entitled, "An Act to amend Sections 7, 10 and 11, Chapter 130, Session Laws of 1911, relating to the sanitary conditions of bakeries, confectionery shops, canneries, packing houses, slaughter houses, restaurants, noodle parlors, dining cars, lunch wagons or lunch counters; the method of procedure in condemning diseased meats; the issuing of licenses by the State Board of Health; and providing for inspections of such places of business." Read first and second time and referred to Committee on Public Health and Sanitary Affairs.

H. B. No. 237, introduced by Andersen: A Bill for an Act entitled, "An Act to amend Section 6551 of the Revised Codes of Montana of 1907, to-wit, of the Code of Civil Procedure, so as to provide for the pleading by any defendant of a cross-complaint against any of the other parties to the suit as well as new parties, for the issuance of summons thereon and the service of summons and cross-complaint, for pleading thereto, and against delays in connection therewith; and other purposes." Read first and second time and referred to Judiciary Committee.

H. B. No. 238, introduced by Ashby: A Bill for an Act entitled, "An Act to amend Chapter 85 of the Session Laws of the Eleventh Legislative Assembly of 1909; and also to amend Section 3118 of the Revised Codes of Montana of 1907, relating to the salary and compensation of deputy county officers and assistants." Read first and second time and referred to Committee on Judiciary.

H. B. No. 239, introduced by Stimpert: A Bill for an Act entitled, "An Act prohibiting unfair competition or discrimination in the buying, selling, production, manufacturing or distribution of any commodity or product in general use and providing a penalty for the infraction of the provisions thereof, and pro-



viding that complaint may be made to the Attorney General of any violation of this Act by any corporation and requiring the Attorney General to forthwith investigate such complaint and to prosecute such corporation if the facts ascertained by him warrant such prosecution and providing for the annulment by the court of the charter of any corporation found guilty of unfair competition or discrimination." Read first and second time and referred to Committee on Judiciary.

H. B. No. 240, introduced by Charles Andersen: A Bill for an Act entitled, "An Act to amend Paragraph 601, Chapter 6, of Chapter 76 of the Laws of the Thirteenth Legislative Assembly of the State of Montana, by adding the study of Elementary Agriculture to the course of study prescribed for elementary schools." Read first and second time and referred to Committee on Education.

H. B. No. 241, introduced by Farmer: A Bill for an Act entitled, "An Act to regulate the sales of livestock on commission, to provide for the bonding of livestock commission houses and sale yards, and providing for violation." Read first and second time and referred to Committee on Live Stock and Public Ranges."

H. B. No. 242, introduced by Belden: A Bill for an Act entitled, "An Act to provide for the publication, preservation and distribution of the debates and proceedings of the 1889 Constitutional Convention, and to appropriate money to pay therefor." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 243, introduced by Charles Andersen: A Bill for an Act entitled, "An Act to change the composition and membership of the board known as the 'Montana Highway Commission,' to do away with one member thereof and abolish his office, to provide that in case of division of opinion between the two members of said commission designated as regular members of said commission, the Governor shall act as a member, or may appoint some other person to act, for the time being, as a member of said commission, and making provisions regarding the sessions of said commission, and the compensation of persons acting on said commission, by amending Section 1 of the Act entitled 'An Act to establish a Montana State Highway Commission, defining its duties and powers and providing for its compensation. Providing for a State Highway Commission Fund and appropriating money therefor.' Approved March 13, 1913, and enacting additional provisions to effect the foregoing purposes." Read first and second time and referred to Committee on Judiciary.

H. B. No. 244, introduced by Kemmis: A Bill for an Act entitled, "An Act appropriating the sum of Five Hundred Seven Dollars and Thirty-three cents (\$507.33) to refund to certain retail liquor dealers in Richland County for unexpired portion of liquor licenses. Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 245, introduced by Eaton: A Bill for an Act entitled, "An Act providing how many times per week orders, rules, summons and notices shall be published when not otherwise prescribed." Read first and second time and referred to Committee on Judiciary.

H. B. No. 246, introduced by Eaton: A Bill for an Act entitled, "An Act defining mileage that may be collected by witnesses from another state or county." Read first and second time and referred to Committee on Judiciary.

H. B. No. 247, introduced by Kemmis: A Bill for an Act entitled, "An Act to provide for a high school tax and to provide for high school instruction in all counties not having county high schools." Read first and second time and referred to Committee on Education.

H. B. No. 248, introduced by Harmon: A Bill for an Act entitled, "An Act to provide for the redistricting of the Third Class School Districts in each county; creating a rural school district in each county composed of all third class districts and parts thereof as a unit for the purposes of administration and taxation; providing for the creation of sub-districts of rural districts for the purpose of local administration; providing for Boards of Trustees for rural school districts, and prescribing the manner of election, number, terms, powers and duties of said Boards of Trustees; providing for the appointment of local trustees in sub-districts and prescribing the powers and duties of the same; providing for tak-

ing over of funds, property and indebtedness of third class districts by the rural school districts; providing for the assumption and payment of all indebtedness of third class districts by the rural school district; providing for bonding of school districts for payment of indebtedness; and providing the manner of acceptance of the provisions of this Act by the people of the several counties; providing for the creation of second class districts from the territory of the rural school district; providing for traveling expenses, salary, organization and time of meeting of Board of Trustees of the rural school district." Read first and second time and referred to Committee on Education.

### MOTIONS AND RESOLUTIONS.

On motion of Hurd, the Printing Committee was instructed to have 600 copies of Bills printed, instead of 500 copies.

Bernard: I move that H. B. No. 155 be re-referred to General Orders, for tomorrow.

McMahon: As an amendment to motion of Bernard, I move that H. B. No. 155 be re-referred to Committee on Live Stock and Public Ranges.

Roll call demanded and amended motion carried by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blake, Blodgett, Brooks, Buell of Missoula, Clark, Connolly, Crowley, Deibel, Duffy, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Henderson, Huffaker, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Lanstrum, Lemmon, Lewis, McDonald, McMahon, McQuarrie, Morris, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmusson, Searles, Shaw, Weil, Wheat—49.

Noes: Andersen (Charles), Bernard, Booth, Buell of Gallatin, Buchanan, Burnworth, Carll, Cotter, Crismas, Davis, Demel, Dodds, Eaton, Griffin, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Hurd, Husser, Ingalls, Jones, Kehoe, Kemmis, Lusk, McClory, McMillan, Mason, Middleton, Morrow, Murray, Phelps, Sand, Scott, Sektnan, Spain, Stimpert, White, Working, Mr. Speaker—43.

Absent and not voting: Larse, Ward—2.

Farmer: I move that H. B. No. 160 be placed on General Orders.

Roll call demanded and motion carried by following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Clark, Connolly, Crismas, Crowley, Deibel, Demel, Duffy, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harmon, Hathaway, Henderson, Henry, Ironside, Johnson of Deer Lodge, Jones, Kelsey, Lanstrum, Lemmon, Lewis, McDonald, McMahon, McQuarrie, Mason, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmusson, Searles, Shaw, Spain, Weil, Wheat, Mr. Speaker—60.

Noes: Arneson, Bernard, Burnworth, Carll, Cotter, Davis, Dodds, Eaton, Griffin, Harbert, Hawks, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Jensen, Johnston of Ravalli, Kehoe, Kemmis, Lusk, McClory, Middleton, Murray, Sand, Scott, Sektnan, Stimpert, White, Working—31.

Absent and not voting: Larse, McMillan, Ward—3.

On motion of Belden, House Bill No. 200 was ordered printed.

On motion of Gould, House reverted to Fourth Order of Business.

### REPORTS OF STANDING COMMITTEES.

Gould, from the Committee on Improvements and Manufacturing, reported as follows:

Mr. Speaker: We, your Committee on Improvements and Manufacturing, having had under consideration House Bill No. 198, introduced by Belden, a Bill for an Act entitled, "An Act repealing Section 2778 of the Revised Codes of Montana, 1907, being a part of the Act enacted by the Legislative Assembly of the State of Montana and known as the 'Political Code' of the State of Montana, and being part of Part III, Title XII, Chapter XIII, Article II, providing for licenses of architects, builders, contractors and manufacturers," re-

spectfully beg leave to report the Bill back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Gould, from the Committee on Improvements and Manufacturing reported as follows:

Mr. Speaker: We, your Committee on Improvements and Manufacturing, having had under consideration H. B. No. 199, introduced by Higgins, entitled, "An Act relating to the construction, operation, use and maintenance of all electrical construction, appliances and apparatus, and providing a penalty for violation thereof," report same back to the House with the recommendation that it be amended as follows:

Amend Section 1, Line 12, by changing the word "neglecting" to "omitting" after the word "square" in said line.

Amend Section 3, Line 2, by inserting after the word "material" the words "Montana products so far as same will apply and are obtainable."

Amend Section 14, Line 2, by inserting after the word "material" the words "Montana products so far as same will apply and are obtainable."

Amend Section 15, Line 7, by changing the word "neglecting" to "omitting" after the word "square" in said line.

And, as amended, we recommend that the Bill do pass.

Report adopted and Bill referred to Printing Committee.

Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration H. B. No. 134, by Kemmis, entitled, "An Act to amend Section 507 of Chapter 76, Session Laws of 1913, defining the duties of School Trustees," report same back to the House with the recommendation that it do not pass. Report adopted.

Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration H. B. No. 186, introduced by Sektman, entitled, "An Act requiring the Scandinavian languages to be taught at the State University at Missoula, and at the Agricultural College at Bozeman," report same back to the House with the recommendation that it be printed. Report adopted.

### THIRD READING OF SENATE BILLS.

Higgins: I move that the Third reading of Bills be dispensed with and that Bills be read by title only, with the exception of appropriation Bills. Motion carried.

S. B. No. 60, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey Rasmussen, Sand, Scott, Searles, Sektman, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working, Mr. Speaker—86.

Noes: Blodgett, Connolly, Crowley—3.

Absent and not voting: Eliel, Larse, McMillan, Phelps, White—5.

Title agreed to and Bill returned to Senate.

### THIRD READING OF HOUSE BILLS.

H. B. No. 22, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley,

Davis, Deibel, Demel, Dodds, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harmon, Harbert, Hathaway, Hawks, Higgins, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lusk, McClory, McDonald, McMahon, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Wheat, White, Working, Mr. Speaker—78.

Noes: Baxter, Buell of Missoula, Henderson, Henry, Jones, McQuarrie—6.

Absent and not voting: Duffy, Eliel, Holt, Husser, Larse, Lewis, McMillan, Rasmussen, Ward, Weil—10.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 24, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnson of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Page, Phelps, Prosser, Quaintance, Rainey, Rasmusson, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—86.

Noes: Duffy, Murray, O'Brien—3.

Absent and not voting: Eliel, Jones, Larse, McClory, McMillan—5.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 112, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmusson, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—87.

Noes: Hawks, Holt, Sand—3.

Absent and not voting: Baldwin, Fishbaugh, Larse, McMillan—4.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 113, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Blake, Blodgett, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Davis, Deibel, Demel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Murray, O'Brien, Page, Phelps, Prosser, Rainey, Rasmusson, Sand, Scott, Searles, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—80.

Noes: Booth, Dodds, Husser, Jensen, Kemmis, Quaintance, Sektnan—7.

Absent and not voting: Baldwin, Bernard, Crowley, Ironside, Larse, McMillan, Morrow—7.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 109, having been read three several times, passed by the following vote:



Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Clark, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmusson, Sand, Scott, Searles, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working, Mr. Speaker—83.

Noes: Connolly, Grimes, White—3.

Absent and not voting: Baldwin, Crowley, Gould, Hawks, Larse, McDonald, Morris, Sektnan—8.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 4, having been read three several times, passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmusson, Sand, Scott, Searles, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—85.

Noes: Arneson, Belden, Kelsey, Shaw—4.

Absent and not voting: Ball, Deibel, Larse, McMillan, Sektnan—5.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Harbert, House recessed at 12:00 noon until 2:00 P. M.

#### AFTERNOON SESSION.

House resumed.

Mr. Speaker in the chair.

On motion of Murray, House reverted to Sixth Order of Business.

#### MOTIONS AND RESOLUTIONS.

Murray: I move that the Committee on Railroads and Transportation be relieved of any further consideration of H. B. No. 163, and that the Bill be taken from that Committee. Motion carried.

Murray: I move that further consideration of H. B. No. 163, introduced by Murray, be indefinitely postponed. Motion carried.

White: I move that the Third reading of H. B. No. 6 be passed for today.

Page: I move, as a substitute, that H. B. No. 6, be left on Third reading. Substitute motion carried.

Kehoe: I move that the action of the House on S. B. No. 23 be reconsidered.

Henderson: I move that motion of Kehoe be laid upon the table.

Motion to lay on table carried.

H. B. No. 128, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Belden, Bernard, Blake, Blodgett, Booth, Brooks, Buchanan, Burnworth, Carl, Cotter, Davis, Demel, Duffy, Eaton, Fishbaugh, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Holt, Hurd, Husser, Ingalls, Ironside, Jensen, Jones, Kehoe, Kemmis, Lanstrum, Lemmon, McClory, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Rainey, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, White, Mr. Speaker—60.

Noes: Arneson, Baxter, Bent, Buell of Missoula, Buell of Gallatin, Clark, Connolly, Crismas, Crowley, Deibel, Dodds, Eliel, Farmer, Fuller, Gould, Grimes,

Henderson, Henry, Higgins, Huffaker, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Lewis, Lusk, McDonald, McQuarrie, Page, Quaintance, Rasmusson, Shaw, Wheat, Working—33.

Absent and not voting: Larse—1.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 127, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—90.

Noes: None.

Absent and not voting: Belden, Crowley, Larse, Middleton—4.

Title agreed to and Bill transmitted to Senate for concurrence.

House Joint Memorial No. 5, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Baxter, Bent, Bernard, Blake, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Page, Phelps, Rainey, Rasmussen, Sand, Scott, Sektan, Spain, Stimpert, Weil, Wheat, White, Working, Mr. Speaker—73.

Noes: Ball, Blodgett, Booth, Connolly, Duffy, Grimes, Ironside, Jensen, Lanstrum, McMahon, Murray, O'Brien, Prosser, Quaintance, Searles, Shaw, Ward—17.

Absent and not voting: Belden, Crowley, Larse, Lemmon—4.

Title agreed to and Bill transmitted to Senate for concurrence.

Senate Amendments to H. B. No. 62 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Lewis, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—85.

Noes: Hathaway, Higgins, Kemmis, Lusk—4.

Absent and not voting: Crowley, Larse, Lemmon, McMahon, Shaw—5.

Bill referred to Engrossing Committee.

H. B. No. 36, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lewis, Lusk, McClory, McDonald, McMahon, McMillan,

McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—89.

Noes: None.

Absent and not voting: Blodgett, Crowley, Larse, Lemmon, Shaw—5.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 72, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—87.

Noes: Gould—1.

Absent and not voting: Blodgett, Crowley, Farmer, Husser, Larse, Lemmon—6.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 6, having been read three several times, passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Carll, Connolly, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Gould, Grimes, Harbert, Hathaway, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnston of Deer Lodge, Kehoe, Kelsey, Lanstrum, McMahon, Mason, Murray, O'Brien, Page, Quaintance, Sand, Searles, Sektnan, Shaw, Ward, White, Mr. Speaker—50.

Noes: Anderson (Oscar W.), Ashby, Baldwin, Belden, Buell of Gallatin, Buchanan, Burnworth, Clark, Cotter, Crismas, Fishbaugh, Fuller, Griffin, Gullidge, Harmon, Hawks, Henderson, Henry, Hurd, Johnston of Ravalli, Jones, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Middleton, Morris, Morrow, Phelps, Prosser, Rainey, Rasmussen, Scott, Spain, Stimpert, Weil, Wheat, Working—42.

Absent and not voting—2.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 84, having been read three several times, was lost by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Baxter, Bent, Bernard, Booth, Buell of Gallatin, Crismas, Davis, Demel, Dodds, Duffy, Eaton, Farmer, Fuller, Gould, Harbert, Hathaway, Hawks, Henry, Holt, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Lanstrum, Lewis, McDonald, McMillan, Mason, Morrow, Murray, Page, Phelps, Sand, Sektnan, Shaw, Spain, White—42.

Noes: Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Blake, Blodgett, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Eliel, Fishbaugh, Griffin, Grimes, Gullidge, Harmon, Henderson, Higgins, Huffaker, Husser, Ironside, Kehoe, Kemmis, Lemmon, Lusk, McClory, McMahon, McQuarrie, Middleton, Morris, O'Brien, Prosser, Quaintance, Rainey, Rasmussen, Scott, Searles, Stimpert, Ward, Weil, Wheat, Working, Mr. Speaker—50.

Absent and not voting: Deibel, Larse—2.

H. B. No. 63, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt,



Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—88.

Noes: Anderson (Oscar W.)—1.

Absent and not voting: Belden, Crowley, Deibel, Hawks, Larse—5.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 133, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working, Mr. Speaker—86.

Noes: None.

Absent and not voting: Arneson, Crowley, Larse, McClory, McMillan, Mason, Prosser, White—8.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 79, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Ball, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Henderson, Higgins, Holt, Hurd, Husser, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kemmis, Lanstrum, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Middleton, Murray, O'Brien, Rasmussen, Spain, Stimpert, Mr. Speaker—56.

Noes: Arneson, Baldwin, Baxter, Blake, Blodgett, Buell of Gallatin, Carll, Eliel, Henry, Huffaker, Ironside, Jones, Kehoe, Kelsey, Lemmon, McMahon, Morris, Morrow, Page, Phelps, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Ward, Weil, Wheat, Working—31.

Absent and not voting: Belden, Grimes, Hawks, Larse, Mason, Prosser, White—7.

Title agreed to and Bill transmitted to Senate for concurrence.

Crowley from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred H. B. No. 68, introduced by Ashby, beg leave to report same back as correctly enrolled. Report adopted.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 76, 82, 86, 89, 97, 123, 138, 142, 143, 148, 161 and 166, beg leave to report same back as correctly engrossed.

Report adopted and Bills placed on Calendar for Third reading.

Mr. Speaker notified the House that he was about to sign H. B. No. 68, and signed same in the presence of the House.

On motion of Blodgett, House reverted to Fifth Order of Business.

## INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 249, introduced by Blodgett: A Bill for an Act entitled, "An Act to repeal Title XI of Part II of the Code of Civil Procedure of the Revised Codes of Montana of 1907, including therein Sections 6986 to 7091, inclusive, of the Revised Codes, and to repeal said Sections, relating to proceedings in Justices



Courts, and to enact in the place of said repealed Title and Sections, a Title to be known as Title XI of Part II of the Code of Civil Procedure of the Revised Codes of Montana of 1907, relating to proceedings in Justices' Courts, being a Code of Civil Procedure for Justice Courts, containing in said Title, Chapters, Articles and Sections, the Section numbers of the Title here enacted, taking the place of the numbers of said repealed Sections." Read first and second time and referred to Committee on Judiciary.

H. B. No. 250, introduced by Mason: A Bill for an Act entitled, "An Act requiring the publication in official county papers of the lists of adulterated and misbranded foods, beverages, candies, drugs and other preparations and products as reported by the State Board of Health." Read first and second time and referred to Committee on Judiciary.

H. B. No. 251, introduced by Shaw: A Bill for an Act entitled, "An Act to amend Section 2957 of the Revised Codes of the State of Montana of 1907, as amended by Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly, relating to the enumeration of county officers, and Section 3100 of the Revised Codes of the State of Montana of 1907, relating to the creation of the office of county auditor within certain counties in the State of Montana." Read first and second time and referred to Committee on Judiciary.

McMahon: I move that the House do now resolve itself into a Committee of the Whole for consideration of General Orders. Motion carried.

### GENERAL ORDERS.

Eliel in the Chair.

House resumed.

Mr. Speaker in the chair.

Eliel, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration Senate Bill No. 3, by Brower, entitled, a Bill for an Act to amend Sections 2 and 3 of Chapter 83, Session Laws of the Thirteenth Legislative Assembly, of the State of Montana, "An Act to provide for the regulation of sale of articles by weight, measure or numerical count, within the State of Montana; creating the office of State Sealer of Weights and Measures, providing the duties and powers of such State Sealer of Weights and Measures; providing penalties for the violation of the provisions of Chapter 34 of the Laws of the Twelfth Legislative Assembly," approved March 13, 1913, report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 23, by Annin, entitled, "An Act to amend Section 12 of Chapter 134 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, being an Act to regulate the practice of pharmacy and regulating the manufacture and sale of drugs and medicines in the State of Montana, and providing penalties for the violation of this Act," report same back to the House with the recommendation that Section 1 thereof be amended by adding in line 15, after the letters "U. S." the following: "and stock remedies"; that Section 3 thereof be stricken out and the following inserted in its stead: "This Act shall be in full force and effect from and after July 1, 1917."

Also, having had under consideration H. B. No. 160, by Farmer, entitled, "An Act to amend Section 8293 of the Revised Codes of the State of Montana of 1907, relating to the penalty for murder," report same back to the House with the recommendation that it do not pass. Report adopted.

On motion of Shaw, House reverted to Fourth Order of Business.

### REPORTS OF STANDING COMMITTEES.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 132, 152, 162 and 174, beg leave to report that same have been correctly printed.

Report adopted and Bills placed on General Orders, with the exception of H. B. No. 162.

Shaw, from the Committee on Waterways and Navigation, reported as follows:

Mr. Speaker: We, your Committee on Waterways and Navigation, having had under consideration H. B. No. 193, introduced by Griffin, entitled, "An Act to amend Section 1564, the Revised Codes of 1907, as the same appears after amendment by Chapter 66 of the Session Laws of the Twelfth Legislative Assembly, relating to the pollution of water supply," beg to report back to the House with the recommendation that same do pass.

Report adopted and Bill referred to Printing Committee.

Mason: I move to adjourn until 10:00 A. M. tomorrow morning.

On substitute motion of Eliel, House adjourned until 11:00 A. M., Wednesday, February 7, 1917.

J. F. O'CONNOR, Speaker.  
C. H. TREACY, Chief Clerk.

## THIRTY-EIGHTH DAY

Wednesday, February 7, 1917.

House met at 11:00 o'clock A. M., pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll called. All members present.

Blodgett, from the Committee on Journal, reported as follows:

Mr. Speaker: We, your Committee on Journal, beg to report that we have examined the Journal of the Thirty-seventh day and find the same to be correct. Report adopted.

### COMMUNICATIONS AND PETITIONS.

The following communication was received from His Excellency, the Governor:

Executive Office, February 7, 1917.

To the House of Representatives, Helena, Montana.

Gentlemen—My attention having been directed to the death of Honorable Jerry J. Flanigan, Representative from Silver Bow County, and having this day issued an election proclamation calling a special election to fill the vacancy now existing, which said special election is to be held on the nineteenth day of February, 1917, all of which was done in accordance with the provisions of the Constitution of the State of Montana (Article V, Section 45), and in accordance with the provisions of Sections 422 and 452 of the Revised Codes of Montana, 1907;

And it further appearing that there is no mode provided by law for the filling of the vacancy between the date of the issuance of the said order for a special election and the time of holding said special election, to-wit: from this day until the nineteenth day of February, 1917:

Therefore, in accordance with the provisions of Section 423, Revised Codes of Montana, 1907, I have this day granted a commission to William Cutts, a citizen of Silver Bow County, naming him to fill the vacancy now existing, his commission to expire at the end of this Legislative Assembly or at the said election held by the people of Silver Bow county.

This appointment was made and these facts are certified to you for your information and consideration, and with a full realization that the members of your body are the sole judges of the qualifications of those seeking membership therein, but in the belief that there is no other means of filling said vacancy in the interim mentioned.

Yours truly,

S. V. STEWART, Governor.

McMahon: I move that the communication from the Governor be referred to a standing committee of the House. Motion carried.

## NOTICES OF BILLS.

By White: "An Act appropriating money to pay a judgment obtained against the State of Montana by William B. Pomeroy, together with the interest thereon, which judgment was entered in the District Court of Lewis and Clark County on the 12th day of September, 1913, and affirmed by the Supreme Court of the State of Montana on June 12, 1915."

By Holt: "An Act to amend Section 1 of Chapter 8 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to unfair competition and discrimination, and providing penalty for the infraction of the provisions thereof."

By Cotter: "An Act to amend Section 23a of Chapter 140 of the laws enacted by the Twelfth Legislative Assembly of the State of Montana, and to add a new section to said Chapter 140, to be numbered 'Section 23b,' concerning the valuation of benefit certificates of fraternal benefit societies now in force, upon a basis designated, 'accumulative basis,' prescribing the method of arriving at such basis, and prescribing the financial condition which such societies shall maintain; and conferring certain powers upon, and prescribing certain duties to be performed by the State Commissioner of Insurance."

By Harbert: House Joint Memorial, "Petitioning Congress to enact such legislation as will be necessary to ameliorate conditions on what was formerly the Flathead Indian reservation, in reference to suspended and rejected filings, erroneous classification of lands, and excessive prices of timber lands."

By Burnworth: "An Act to alter boundaries between Rosebud County on one side and Yellowstone County on the other side and to fix and establish as far as possible said boundary lines on Section lines; and to provide that each of said counties shall transcribe and certify the records thereof."

By McQuarrie: "An Act to prevent the adulteration of linseed or flaxseed oil, to prevent deception in the sale thereof, and to provide for the punishment of such adulteration and deception."

By Harbert and Holt: "An Act providing for the safe investment of the State permanent common school funds, and all other permanent state educational, charitable and penal institution funds in the securities herein designated; for the prompt collection of interest thereon; providing a method of procedure in making said investments to guard and protect such funds; and prescribing the duties and obligations of the various officers of the state in making said investments, and repealing all laws and parts of laws in conflict herewith."

By Farmer: "An Act to repeal Chapter S1 of the Thirteenth Legislative Session, an Act providing that no license shall be required for moving picture shows in places having a population not exceeding one thousand five hundred (1500)."

By Stimpert: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section Four of Article XVI of the Constitution, relating to County Commissioners."

By Bernard: "An Act compelling railroad companies to provide suitable stock pens, yards, scales and water accommodations for stock, in same, at towns and cities where the annual shipment of stock amounts to one hundred cars per annum."

By Prosser: "An Act to provide for the licensing of peddlers, hawkers, itinerant merchants and persons who travel from house to house carrying for sale, offering for sale, exposing for sale, or soliciting orders by samples or catalogue for any goods, wares or merchandise, classifying the same, providing for application for and a deposit of money in addition to, license fee, and prescribing length of time same shall remain and be a deposit; providing that deposit shall be liable to attachment and execution by creditors of licenses; prescribing penalty for violation of Act, fixing amount to be paid for license; providing for collection of same, prescribing duties of county treasurers with reference thereto; exempting peddlers of farm and agricultural products; and repealing conflicting Acts."

By Ashby: "An Act creating a lien on motor vehicles for labor furnished, or machinery, supplies, materials or storage contributed, in making, altering, repairing, storing or otherwise caring for the same, and providing for the filing of a statement of such lien, the enforcing and foreclosure of the same."

By Mason: "An Act concerning the examination and admission of attorneys and counsellors at law to practice law in this state, and concerning the trial and conduct of proceedings in actions for the suspension, or the disbarment from practice of such attorneys and counsellors; providing an annual license tax to be paid by all practicing attorneys and counsellors in this state, and methods of collecting the same, and penalties for violation of any provision of this Act; providing for the disposition and expenditure of all moneys collected under the provisions of this Act."

#### REPORTS OF STANDING COMMITTEES.

Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration H. B. No. 240, by Charles Andersen, a Bill for an Act entitled, "An Act to amend paragraph 601, Chapter 6, of Chapter 76 of the Laws of the Thirteenth Legislative Assembly of the State of Montana, by adding the study of elementary agriculture to the course of study prescribed for elementary schools," beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

McQuarrie, from the Special Joint Committee on Highways, reported as follows:

Mr. Speaker: We, your Special Joint Committee on Highways, to whom was referred H. B. No. 51, introduced by Jensen, a Bill for an Act entitled, "An Act to provide means whereby the State of Montana, through the Montana State Highway Commission, may obtain the benefits of the Act of Congress, approved July 11, 1916 (39 Stat. L. 355)," report same back to the House with the following recommendation: Amend Section 1, lines 7 and 8, by striking out the words "is hereby authorized to" and substituting in lieu thereof the word "may," and that Bill do pass as amended.

Report adopted and Bill referred to Printing Committee.

McQuarrie, from the Special Joint Committee on Highways, reported as follows:

Mr. Speaker: We, your Special Joint Committee on Highways, to whom was referred H. B. No. 32, introduced by Charles Andersen, a Bill for an Act entitled, "An Act to amend Section 9, Chapter 73, of the Laws of the Thirteenth Legislative Assembly of the State of Montana, entitled an Act for the registration, identification and regulation of motor vehicles operated and driven upon public roads and highways of this State by inserting the word "inconsistent" after the word "resolution" in the third line of said section," report same back to the House with the recommendation that it do not pass. Report adopted.

Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration H. B. No. 247, by Kemmis, a Bill for an Act entitled, "An Act to provide for a high school tax and to provide for high school instruction in all counties not having county high schools," beg leave to report the same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration H. B. No. 230, by Gullidge, a Bill for an Act entitled, "An Act to change the dates upon which the school year shall begin and end, and the dates upon which certain public school reports shall be rendered," beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, to whom was referred H. B. No. 214, introduced by Connolly, a Bill for an Act entitled, "An Act providing for the lighting of all horse drawn vehicles on the public highways at night and providing penalty for violation thereof," report the same back to the House with the recommendation that it do not pass. Report adopted.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, to whom was referred



H. B. No. 145, introduced by Duffy, a Bill for an Act entitled, "An Act to provide for the placing of dimmers on lights of all electric or motor driven vehicles and motorcycles," report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 31, by Oliver, entitled, "An Act in relation to the release of record of oil, gas and other mineral leases, provided civil remedies in connection therewith," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 246, by Eaton, entitled, "An Act defining mileage that may be collected by witnesses from another state or country," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 245, by Eaton, entitled, "An Act providing how many times per week orders, rules, summons and notices of all kinds shall be published when not otherwise prescribed," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 239, by Stimpert, entitled, "An Act prohibiting unfair competition or discrimination in the buying, selling, production, manufacturing or distribution of any commodity or product in general use and providing a penalty for the infraction of the provisions thereof, and providing that complaint may be made to the Attorney General of any violation of this Act by any corporation and requiring the Attorney General to forthwith investigate such complaint and to prosecute such corporation if the facts ascertained by him warrant such prosecution and providing for the annulment by the Court of the Charter of any corporation found guilty of unfair competition or discrimination," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, having had under consideration H. B. No. 192, by McMahon, entitled, "An Act relating to and providing for the inspection and regulation of mines of all kinds in the State of Montana, devolving upon the Industrial Accident Board the powers and duties of the coal mine inspection and of the Inspector of Mines, providing for the performance of the duties of said inspectors by the said Industrial Accident Board and by inspectors to be appointed by it, abolishing the offices of Inspector of Mines and Coal Mine Inspector, and repealing laws in conflict herewith," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 221, by Husser, entitled, "An Act to amend Section 3618 of the Revised Codes of the State of Montana; providing for a marriage license fee of Two (\$2.00) Dollars to be paid into the State Board of Health Maintenance Fund, and authorizing the Auditor to draw his warrant for claims against this fund," respectfully beg leave to report as follows: That it do not pass.

On motion of Husser, Bill ordered printed. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 41, by Burla, entitled, "An Act to amend Section 9006 of the 1907 Revised Codes of Montana, having to do with the removal of public officers by summary proceedings," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 27, by Clark, entitled, "An Act providing for the manner, time and place of issuing Bills of Lading, and the manner, time and place of delivery of Bills of Lading by Railway Companies, at stations where station agents are not provided; and providing a penalty for the violation thereof," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 130, by Kehoe, entitled, "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession in the State of Montana," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do pass, as amended.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 11, by Edwards, entitled, "An Act to permit the establishment, maintenance and operation of a Public Market House or Market Space at the county seats of the counties within the State, providing for the supervision and control thereof and for the acquiring of property for the purpose of carrying out the provisions of this Act, and penalties for the violation thereof," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 67, by Judiciary Committee, entitled, "An Act providing what district judges shall preside in counties having no resident District Judge," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it be not concurred in. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 231, by Blodgett, entitled, "An Act to amend Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana. Said Chapter 112 being "An Act to amend Sections 2957 and 3116 of the Revised Codes of Montana of 1907, entitled, 'An Act enumerating county officers and fixing the compensation of such officers according to classification of counties,'" respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 238, by Ashby, entitled, "An Act to amend Chapter 85 of the Session Laws of the Eleventh Legislative Assembly of 1909; and also to amend Section 3118 of the Revised Codes of Montana, of 1907, relating to the salary and compensation of Deputy County officers and assistants," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do not pass. Report adopted.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, to whom was referred H. B. No. 120, introduced by Duffy, a Bill for an Act entitled, "An Act to provide a punishment for the malicious and promiscuous throwing of glass and broken

bottles on roads and highways of the State of Montana," report same back to the House with the recommendation that it do not pass. Report adopted.

Duffy, from the Committee on Federal Relations, reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 6, introduced by Harbert, "Memorial to the Congress of the United States to amend the Ferris Bill so as to prevent the tying up of the public domain to the prejudice of actual homesteaders," respectfully beg leave to report as follows: That same do pass.

Report adopted and Memorial referred to Printing Committee.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 7, entitled, "An Act dividing the State into two Congressional districts and amending Section 47, Montana Revised Codes, 1907," respectfully beg leave to report as follows: That the Bill be referred to the House, with the recommendation that it be concurred in.

On motion of Higgins, Bill re-referred to Committee on Privileges and Elections.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: The undersigned, Chairman of the Enrolling Committee, hereby notifies you that the following Bills have been delivered to His Excellency, Governor S. V. Stewart: January 8, 1917, at 2:45 P. M., House Bills Nos. 1, 2 and 3; January 25, 1917, at 10:35 A. M., House Bill No. 5; February 2, 1917, at 11:10 A. M., House Bill No. 31; February 6, 1917, at 2:40 P. M., House Bills Nos. 49, 58, 74; House Joint Resolutions Nos. 1, 2 and 4, and House Joint Memorials Nos. 2 and 3; Crowley. Report adopted.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, having had under consideration House Bill No. 164, introduced by Hurd, entitled, "An Act to provide for the letting of contracts for public printing, fixing prices therefor, providing a penalty for violation of this Act, and to repeal Section 2897 of the Revised Codes of the State of Montana for 1907," respectfully beg leave to report as follows: That same be referred back to the House with the recommendation that it do pass as amended, to-wit: Striking out pages two and three and substituting amended pages in lieu thereof, and by substituting in line 5, after the word "least" the words "one year" in place of two years."

Report adopted and Bill referred to Printing Committee.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, having had under consideration House Bill No. 225, introduced by Harmon, entitled, "An Act to amend Sections 1803 and 1805 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to contracts for supplying basal and supplementary text books," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it be referred to Committee on Education."

Report adopted and Bill referred to Committee on Education.

Hurd from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom has been referred House Joint Memorial No. 1 and House Bills Nos. 38, 157, 183, 175, 177, 182, 153, 195, 176 and 95, beg leave to report that same have been returned correctly printed. Report adopted.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 135, introduced by Kehoe, entitled, "An Act providing for the commission manager plan of government for cities and towns, providing for the election of officers therein, defining their duties and powers and providing for their compensation," recommend that the same be amended as follows:

That Section 2 be amended by substituting the words "fifty-one per cent" in line two after the words "signed by not less than."

That Section 21 be amended to read as follows: "Any or all of the commissioners provided for in this Act may be removed from office by the electors. The procedure to effect such removal shall be as follows:



A petition demanding that the question of removing such officers be submitted to the electors, shall be filed with the Clerk of the Commission.

Such petition for the recall of any or all of the commissioners shall be signed by at least twenty-five (25) per cent of the total number of registered voters in the municipality.

The signatures to such petition need not be appended to any one paper.

That Section 27 be amended to read as follows: "Should a majority of the votes cast at a recall election be against the recall of the officer named on the ballot, such officer shall continue in the office for the remainder of his unexpired term, subject to recall as before. If a majority of the votes cast at a recall election shall be for the recall of the officer named on the ballot he shall, regardless of any technical defects in the recall petition, be deemed removed from office."

That section 28 be amended to read as follows: "No recall petition shall be filed against a commissioner within six (6) months after he takes his office, nor in case of an officer re-elected in a recall election until six (6) months after that election."

That Section 49 be amended to read as follows: "The salary of each commissioner shall be as follows: Five (5) dollars per meeting for all meetings attended. The salary of the commissioner acting as mayor shall be one and one-half times that of the other commissioners.

Any increase in salary of the commissioners occasioned by the advance in class or increase in population of any municipality shall commence with the first of January next after the official publication of the census showing such advance in class or increase in population."

That Section 57 be amended to read as follows: "The commission shall appoint a city manager who shall be the administrative head of the municipal government and shall be responsible for the efficient administration of all departments. He shall be appointed without regard to his political beliefs and may or may not be a resident of the municipality when appointed. He shall hold office at the will of the commission."

Your committee recommends that the Bill, as amended, do pass."

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration Senate Bill No. 65, introduced by Healy, entitled, "An Act to empower cities of the first, second and third class to provide band concerts for the entertainment of their people during the months of June, July, August and September of each year," beg leave to report as follows: That the same be concurred in.

Report adopted and Bill placed on General Orders.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 213, entitled, "An Act providing for a demurrage charge to be made to apply to both shippers, consignees and common carriers; and providing for the rate of charge," beg leave to report as follows: That same be re-referred to the Committee on Railroads and Transportation.

Report adopted and Bill referred to Committee on Railroads and Transportation.

Andrew, from the Committee on Affairs of cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 122, introduced by Duffy, entitled, "An Act to provide for a uniform traffic regulations in cities and towns throughout the State of Montana for street cars, electric driven, motor driven and horse drawn vehicles, motorcycles and bicycles," beg leave to report as follows: That the same do not pass. Report adopted.

Connolly from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 62, introduced by Murray, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on calendar for Third reading.

Duffy, from the Committee on Federal Relations, reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under



consideration Senate Bill No. 50, introduced by Morris, a Bill for an Act entitled, "An Act to cede jurisdiction to the United States over that part of the Yellowstone National park in the State of Montana, and for other purposes," respectfully beg leave to report as follows: That same be concurred in.

Report adopted and Bill placed on General Orders.

Duffy, from the Committee on Federal Relations, reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Resolution No. 3, introduced by Hogan, "Resolution relating to increase in compensation in the federal mail service," respectfully beg leave to report as follows: That same be concurred in.

Report adopted and resolution placed on General Orders.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 124, introduced by Ashby, being a Bill for an Act entitled, "An Act appropriating money for the maintenance of the State Board of Poultry Husbandry for the two years commencing March 1, 1917, and ending February 28, 1919," having had said Bill under consideration, hereby beg leave to report same back to the House with the recommendation that it do not pass. Report adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 171, introduced by Committee on Fairs and Expositions, being a Bill for an Act entitled, "An Act to amend Sections 2927, 2930, 2931 and 2932 of the Revised Codes of Montana, 1907, and Section 2929 of the Revised Codes of Montana, 1907, as amended, by Section 3 of Chapter 30 of the Laws of the Twelfth Legislative Assembly of the State of Montana, relating to County Fairs in counties of the State appointing a Fair Commission by the County Commissioners, defining the duties and compensation of such Fair Commissioners, providing for a tax, the appropriating of money for the purchase, holding and improving of lands for the maintenance of a County Fair, providing for the disbursement of such moneys, to provide for County exhibits at the State Fair and making the County Treasurer ex-officio the treasurer of such County Fair associations; repealing Sections 1 and 2 of Chapter 30 of the Twelfth Session Laws of Montana and repealing Chapter 124 of the Laws of the Thirteenth Legislative Assembly of the State of Montana," hereby beg leave to report said Bill back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 104, introduced by Grimes, being a Bill for an Act appropriating money to the County of Silver Bow as a refund for money erroneously collected and paid into the state treasury, having had said Bill under consideration, hereby beg leave to report same back to the House with the following amendments:

Amend Section 1 of said Bill by striking out the words "Three hundred twenty-five and 45/100 (\$325.45) Dollars," in lines 1 and 2 of said Section 1, and inserting in lieu thereof the words "Three hundred three and 52/100 (\$303.52) Dollars," also in said Section 1 strike out the figures "\$325.45" in the last line thereof and insert in lieu thereof the figures "\$303.52" and that said Bill, after being amended, do pass.

Report adopted and Bill referred to Printing Committee.

McMahon was granted unanimous consent to introduce a Memorial without previous notice.

## INTRODUCTION AND SECOND READING OF BILLS AND MEMORIALS.

H. B. No. 252, introduced by Rainey: A Bill for an Act entitled, "An Act to repeal Section 4198 of the Revised Codes of Montana, 1907, relating to the taxation of property of building and loan associations, and all Acts amendatory thereof." Read first and second time and referred to Committee on Judiciary.

H. B. No. 253, introduced by Farmer: A Bill for an Act entitled, "An Act providing that in an action to recover damages for injury to the person, the court or judge may order a physical examination of the injured person by competent

physicians or surgeons who may testify as witnesses in such action." Read first and second time and referred to Committee on Judiciary.

H. B. No. 254, introduced by Farmer: A Bill for an Act entitled, "An Act to amend Section 9006 (1545), Revised Codes of Montana, 1907, relating to the removal of public officers by summary proceedings, by adding to such section a proviso conferring certain powers upon the governor in relation thereto." Read first and second time and referred to Committee on Judiciary.

H. B. No. 255, introduced by Dodds: A Bill for an Act entitled, "An Act to amend Section 302, subdivision 19 of Chapter 76 of the Session Laws of 1913, relating to the appointment of clerk, and adding Subdivision 20, relating to the appointment of a deputy county superintendent." Read first and second time and referred to Committee on Judiciary.

H. B. No. 256, introduced by Spain: A Bill for an Act entitled, "An Act to regulate the sale and distribution of tuberculin." Read first and second time and referred to Committee on Public Health and Sanitary Affairs.

H. B. No. 257, introduced by Murray: A Bill for an Act entitled, "An Act creating the office of State Inspector of Masonry, Public Buildings and Works, prescribing the qualifications and compensation of the incumbent thereof, and fixing and defining his duties." Read first and second time and referred to Committee on Labor.

H. B. No. 258, introduced by Hathaway: A Bill for an Act entitled, "An Act relating to the admission, care and retention of feeble minded persons and also persons afflicted with epilepsy to the Montana School for the Deaf and Blind at Boulder, Montana; to provide for court procedure to commit persons thereto; to provide for the powers and duties of all officers connected therewith; to provide for the payment of certain expenses by the counties of the state; to make provisions for the purchase of a farm in connection therewith; and to make appropriations to pay for the said farm and for building certain buildings; and defining the duties and powers of certain State boards." Read first and second time and referred to judiciary committee.

H. B. No. 259, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act appropriating money from the county fund for the payment of certain bounty claims which were disallowed by the State Board of Examiners owing to technical errors in the proof." Read first and second times at length and referred to Committee on Appropriation.

H. B. No. 260, introduced by Prosser: A Bill for an Act entitled, "An Act to abolish exemptions from attachment and execution in connection with contracts for common necessities of life." Read first and second time and referred to Committee on Judiciary.

H. B. No. 261, introduced by Eaton: A Bill for an Act entitled, "An Act defining how mileage shall be computed." Read first and second time and referred to Committee on Judiciary.

H. B. No. 262, introduced by Henderson: A Bill for an Act entitled, "An Act to amend Section three of Chapter 140 of the Montana Session Laws of 1915 relating to the compensation of owners of live stock afflicted with communicable or contagious diseases when said live stock is killed according to law, and making appropriations therefor, and providing for a Board of Appraisers and fixing their compensation and the method of paying the same." Read first and second time and referred to Committee on Livestock.

H. J. M. No. 7, introduced by McMahon: "Relative to policing Yellowstone National Park." Read first and second time and referred to Committee on Federal Relations.

H. J. R. No. 8, introduced by Eaton: A Resolution memorializing Congress relative to the loaning of the funds of the Postal Savings banks directly to the public school districts." Read first and second time and referred to Committee on Federal Relations.

Mr. Speaker notified the House that he was about to sign S. B. No. 52, and signed same in the presence of the House.

McMahon: I move that the Chief Clerk of the House be instructed to address a communication to the Honorable Senate, asking that S. B. No. 52 be returned to this House. Motion carried.

Mr. Speaker notified the House that he was about to sign Senate Joint Resolution No. 4 and Senate Bill No. 15, and signed same in the presence of the House.

Blake: I move that the Senate be requested to return to the House on this Legislative day (February 7, 1917), House Bill No. 6, introduced by Page, a Bill for an Act entitled, "An Act to provide for the payment of wages of employees and to provide penalties for violations thereof.

Farmer: I move that motion of Blake be laid on the table.

After debate McMahon moved the previous question.

Motion carried, and roll call being demanded, motion to lay on the table lost by the following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Baxter, Bent, Booth, Carll, Davis, Demel, Dodds, Eaton, Farmer, Fishbaugh, Gould, Hathaway, Hawks, Higgins, Holt, Huffaker, Husser, Jensen, Kehoe, McMahon, McQuarrie, Mason, Murray, O'Brien, Page, Prosser, Quaintance, Sand, Sektnan, Shaw, Ward, White, Mr. Speaker—36.

Noes: Anderson (Oscar W.), Arneson, Baldwin, Ball, Belden, Bernard, Blake, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Crowley, Eliel, Fuller, Griffin, Grimes, Gullidge, Harbert, Henderson, Henry, Hurd, Ingalls, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMillan, Middleton, Morris, Morrow, Phelps, Rainey, Scott, Searles, Spain, Stimpert, Weil, Wheat, Working—51.

Absent and not voting: Blodgett, Deibel, Duffy, Harmon, Lanstrum, Larse, Rasmussen—7.

Mr. Speaker then put the original motion by Blake which, on roll call, carried by the following vote:

Ayes: Anderson (Oscar W.), Ashby, Baldwin, Ball, Belden, Bernard, Blake, Blodgett, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Fishbaugh, Fuller, Grimes, Gullidge, Harbert, Harmon, Henderson, Henry, Hurd, Johnston of Ravalli, Jones, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Middleton, Morris, Morrow, O'Brien, Phelps, Prosser, Rainey, Rasmussen, Scott, Searles, Spain, Stimpert, Weil, Wheat, Working—52.

Noes: Andersen (Charles), Andrew, Arneson, Baxter, Bent, Booth, Carll, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Gould, Griffin, Hathaway, Hawks, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, McMahon, Mason, Murray, Page, Quaintance, Sand, Sektnan, Shaw, Ward, White, Mr. Speaker—38.

Absent and not voting: Crowley, Deibel, Lanstrum, Larse—4.

Mr. Speaker referred the communication from the Governor in relation to the appointment of William Cutts, to Committee on Privileges and Elections.

Higgins: I move to recall the motion of this morning recalling S. B. No. 52. Motion carried.

Higgins: I move that the Clerk be instructed to call the roll on S. B. No. 52, on Third reading, and that the vote be inserted in the Journal, showing that it was read third time and passed on February 2, 1917. Motion carried.

On motion of Stimpert, House recessed until 2:30 P. M.

#### AFTERNOON SESSION.

House reassembled at 2:30 P. M.

Mr. Speaker in the chair.

Weil, from the Committee on Privileges and Elections reported as follows:

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration the communication of his excellency, the Governor of the State of Montana, in reference to the appointment of Honorable William Cutts, a citizen of Silver Bow County, to fill the vacancy now existing in the Legislative Assembly, by reason of the death of the Honorable Jerry J. Flanigan, Representative from Silver Bow County, beg leave to report as follows:

That we recommend that William Cutts be seated as a member of the Fifteenth Legislative Assembly in accordance with the provisions of Section 423



of the Revised Codes of 1907, which gives the Governor authority to fill the vacancy hereinbefore mentioned. The credentials of the Governor of the State for the appointment of William Cutts is hereto attached and made a part of this report.

McMahon: I move the adoption of the report.

Higgins: As a substitute, I move that the report of the Committee on Privileges and Elections be rejected.

Roll call demanded and substitute motion lost by following vote:

Ayes: Anderson (Oscar W.), Arneson, Baldwin, Baxter, Belden, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Burnworth, Cotter, Davis, Dodds, Eaton, Eliel, Fuller, Griffin, Gullidge, Harbert, Harmon, Henderson, Henry, Higgins, Holt, Huffaker, Husser, Ingalls, Johnston of Ravalli, Jones, Kemmis, Lewis, Lusk, McMillan, McQuarrie, Middleton, Rasmussen, Sand, Scott, Sektan, Working—41.

Noes: Andersen (Charles), Andrew, Ashby, Ball, Bent, Blake, Blodgett, Buchanan, Carll, Clark, Connolly, Crismas, Crowley, Deibel, Demel, Duffy, Farmer, Fishbaugh, Gould, Grimes, Hathaway, Hawks, Hurd, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Lemmon, McClory, McMahon, Mason, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Searles, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White—48.

Absent and not voting: Lanstrum, Larse, Phelps, McDonald, Mr. Speaker—5.

Report of Committee on Privileges and Elections adopted.

McMahon: I move that Mr. Cutts appear before the bar of the House and take the oath of office. Motion carried.

Mr. Speaker appointed a committee, consisting of Eliel, Higgins and McMahon to escort Mr. Cutts to the platform. The Committee having performed its duty, Mr. Speaker administered the oath of office, and Mr. Cutts was granted the privileges of the House, which he accepted.

Lusk: I move that S. B. No. 23 be taken from Third reading and placed on General Orders. Motion carried.

Blake: I move a reconsideration of the vote by which H. B. No. 6 was passed on Third reading yesterday. Motion carried.

Connolly, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 62, introduced by Murray, beg leave to report same back as correctly enrolled. Report adopted.

Mr. Speaker notified the House that he was about to sign H. B. No. 62, and signed same in the presence of the House.

Blake: I move that H. B. No. 6 be taken from Third reading and placed on General Orders. Motion carried.

Murray: I move that H. B. No. 6 be held on General Orders until Friday of this week. Motion carried.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate.

Senate Chamber, Helena, Montana, February 6th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Morris: "An Act to amend Section 5 of Chapter 67 of the Laws of the Thirteenth Legislative Assembly of the State of Montana."

By Roberts: "An Act concerning the organization of County High Schools in districts maintaining District High Schools."

By Oliver: "A Bill to provide for the salaries and expenses of the Carey Land Board, and for the payment of the indebtedness of such board."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 6th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committees with recommendations:



Committee on Judiciary reported Senate Bill No. 126, introduced by Smith, entitled, "An Act to amend Section S295 of the Revised Codes of Montana, 1907, relating to manslaughter," with the recommendation that the Bill be indefinitely postponed.

Committee on Judiciary reported Senate Bill No. 85, introduced by Smith, entitled, "An Act relating to the powers and duties of Justices of the Peace, and fixing their compensation," with the recommendation that the Bill be amended as follows: Senate Bill No. 85. Amend Section 1 by striking out the following: "Justices of the Peace in Townships containing a population of five thousand people, and not exceeding ten thousand people, shall each receive a salary of \$1200 per annum, payable monthly from the county treasury." Strike out the word "five" wherever occurring and insert in lieu thereof the word "ten." Senate Bill No. 85. Amend Section 2 by striking out the word "five" wherever occurring and insert in lieu thereof the word "ten," and that the Bill as so amended do pass. Report adopted.

Committee on Judiciary reported Senate Bill No. 115, introduced by Roberts, entitled, "An Act relating to the mileage, fees and expenses of sheriffs, and repealing Sections 3137 and 3138, Revised Codes of Montana, 1907," with the recommendation that it be indefinitely postponed. Report adopted.

Committee on Judiciary reported Senate Bill No. 113, introduced by Edwards, entitled, "An Act to repeal Chapter 13 of the Thirteenth Legislative Assembly of the State of Montana, entitled, "An Act to create the office of State Traveling Parole Commissioner, define the duties of said Commissioner and fix his compensation therefor," with the recommendation that the Bill do pass. Report adopted.

Committee on Judiciary reported Senate Bill No. 117, introduced by Fishbaugh, entitled, "An Act to amend Sections 2 and 12 of Chapter 86 of the Laws, Resolutions and Memorials of the State of Montana, passed by the Thirteenth Legislative Assembly, and providing for the execution of all mortgages of personal property in duplicate, and prescribing the duties of officers taking the acknowledgement thereto, and the giving of notice of sale when the property is sold by a sheriff under power of sale given in the mortgage, with the recommendation that the Bill be indefinitely postponed. Report adopted.

Committee on Judiciary reported Senate Bill No. 122, introduced by Fishbeck, entitled, "An Act concerning County Auditors, prescribing and enlarging their duties and powers and transferring certain fiscal duties now performed by the County Clerk to the office of County Auditor; to provide for the appointment and election of County Auditors in counties of the sixth, seventh and eighth classes and fixing their compensation; to provide for the appointment of deputy auditors in all counties and fixing their compensation; prescribing certain duties of the State Examiner and the Board of County Commissioners in relation thereto; to amend Sections 2611, 2613, 2623, 2626, 2627, 2628, 2634, 2664, 2665, 2666, 2674, 2675, 2696, 2697, 2709, 1710, 2711, 2712, 2717, 2718, 2719, 2721, 2722, 2723, 2746, 2747, 2748, 2753, 2768, 2987, 2996, 3007, 3100, 3104, 3108, 3179 and 3181 and to repeal Sub-section 4 of Section 3045 and Sub-sections 1, 2, 3, 4, 5 and 6 of Section 2954 of the Revised Codes of Montana, 1907," with the recommendation that it be referred to the Printing Committee. Report adopted.

Committee on Judiciary reported Senate Bill No. 102, introduced by Williams, entitled, "An Act authorizing the State Board of Prison Commissioners to adopt Rules and Regulations allowing additional good time in addition to that provided by statute for good conduct to convicts employed on public roads or other public works, and providing a penalty for the violation of such rules," with the recommendation that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 6, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 134—Haley: "An Act providing that patents and certificates of purchase for lands sold or conveyed by the State of Montana shall contain a res-

ervation to the State of Montana of all the mineral deposits contained therein together with the right to prospect for, mine and remove said mineral deposits, said rights so reserved to be subject to disposal of the State of Montana." Referred to Committee on Public Lands.

S. B. No. 135—Morris: "An Act to create the Eighteenth Judicial District of the State of Montana, to be composed of the Counties of Hill and Blaine, and to provide and designate the powers, duties, term and compensation of the Judge of said Eighteenth Judicial District, and to provide that the Twelfth Judicial District of the State of Montana shall hereafter embrace the territory within the County of Chouteau." Referred to Committee on Judicial Districts.

S. B. No. 136—Whiteside: "An Act to accept the terms and provisions of the Federal Act giving aid to the several States for Vocational Education and to authorize the State Board of Education to establish vocational education in the public schools and high schools of the State, designating the State Treasurer as custodian for vocational education with authority to accept and disburse money received from the Federal government for such vocational education, and appropriating money to meet appropriations made by the Federal government for such purposes." Referred to Committee on Finance and Claims.

S. B. No. 137—Edwards: "An Act to amend Section 2502 of the Revised Codes of the State of Montana." Referred to Committee on Judiciary.

S. B. No. 138—Annin: "An Act to amend Section 2973, Revised Codes of Montana, 1907, relating to the classification of counties." Referred to Committee on Counties and Towns.

S. B. No. 139—Joint Committee Stock Growing and Grazing: "An Act to amend Section 1904 of the Revised Codes of Montana as the same appears after amendment by the provisions of Chapter 50 of the Laws of the Twelfth Legislative Assembly." Referred to Committee on Stock Growing.

S. B. No. 140—Heren: "An Act to amend Section 2585 of the Revised Codes of the State of Montana." Referred to Committee on Taxation.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 7th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body on request of the House to return House Bill No. 6 to the House, same is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 7, 1917.

(Afternoon Session.)

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times and passed, title agreed to, and are herewith transmitted to your Honorable Body for concurrence:

S. B. No. 58, introduced by Jones.

S. B. No. 76, introduced by Oliver.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 6, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 71, introduced by Bent, entitled, "An Act to provide free text books for the use of the pupils, and High Schools, at the expense of the districts, and to require the trustees and school boards of each district to purchase same and make rules governing the use of said books, and to allow them sold, at cost, for use of pupils when desired by parents or guardians; and to amend Section 1811, Chapter 76, Laws of the Thirteenth Legislative Assembly," having this day been read three several times, and concurred in, title agreed to, is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 6th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body

that the Committee on Judiciary, to whom was referred House Bill No. 70, introduced by Kehoe, entitled, "An Act providing how penalties and interest on delinquent taxes and assessments shall be apportioned," having had the same under consideration recommended that the Bill be indefinitely postponed. Report adopted. The Bill is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 6, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 17, introduced by Working, having this day been read three several times, title agreed to, and amended as follows:

House Bill No. 17. Amend Section 1 by inserting in line 8 after the word "card" the words "or other written notice," and the Bill concurred in as amended, same is herewith returned to your Honorable Body for concurrence in Senate amendment.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 6, 1917.

(Afternoon Session.)

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committees with recommendations:

Committee on Stockgrowing and Grazing reported Senate Bill No. 139, introduced by the Joint Committee on Stock Growing and Grazing, entitled, "An Act to amend Section 1904 of the Revised Codes of Montana of 1907 as the same appears after amendment by the provisions of Chapter 50 of the Laws of the Twelfth Legislative Assembly, relative to the payment of bounties on predatory animals," with the recommendation that the Bill do pass. Report adopted.

Committee on Enrollment reported Senate Bills Nos. 15 and 52, as correctly enrolled. Report adopted.

Committee on Printing reported that Senate Bill was correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 6, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day signed in open session the following measures:

J. H. M. No. 2, introduced by Kemmis.

H. J. R. No. 2, introduced by Harbert.

H. B. No. 74, introduced by Working.

J. H. R. No. 1, introduced by Harbert.

H. B. No. 58, introduced by Baxter.

H. B. No. 49, introduced by Demel.

J. H. R. No. 4, introduced by Harbert.

H. J. M. No. 3, introduced by Harbert.

Respectfully,

J. F. CONE, Secretary of the Senate.

McMahon: I move that all Bills on Third reading be read by title only, with the exception of appropriation bills.

S. B. No. 3, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Carl, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris,



Morrow, Murray, Page, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White, Working, Mr. Speaker—83.

Noes: None.

Absent and not voting: Belden, Burnworth, Clark, Hathaway, Jones, Lanstrum, Larse, O'Brien, Phelps, Prosser, Ward—11.

Title agreed to and Bill returned to the Senate.

H. B. No. 166, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Wheat, White—79.

Noes: None.

Absent and not voting: Bent, Blodgett, Burnworth, Clark, Farmer, Huffaker, Jones, Lanstrum, Larse, Phelps, Prosser, Ward, Weil, Working, Mr. Speaker present but not voting—15.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 161 having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McClory, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Scott, Searles, Shaw, Spain, Stimpert, Wheat, White, Mr. Speaker—77.

Noes: Arneson, McDonald—2.

Absent and not voting: Burnworth, Clark, Connolly, Duffy, Husser, Lanstrum, Larse, McMahon, McMillan, Phelps, Sand, Sektnan, Ward, Weil, Working—15.

Title agreed to and Bill transmitted to Senate for its concurrence.

H. B. No. 148, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Wheat, White, Mr. Speaker—82.

Noes: None.

Absent and not voting: Andrew, Buell of Gallatin, Cutts, Duffy, Harmon, Husser, Lanstrum, Larse, McClory, McMillan, Phelps, Weil, Working—13.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 143, having been read three several times, was passed by the following vote:

Ayes: Anderson (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Crismas, Crow-



ley, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Ward, Wheat, White, Mr. Speaker—81.

Noes: None.

Absent and not voting: Clark, Connolly, Cotter, Cutts, Duffy, Harmon, Husser, Kelsey, Lanstrum, Larse, Phelps, Stimpert, Weil, Working—14.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 142, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lemmon, Kemmis, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Prosser, Rainey, Sand, Scott, Searles, Sektnan, Spain, Ward, Weil, White, Mr. Speaker—77.

Noes: Higgins, Jones, O'Brien, Quaintance, Shaw—5.

Absent and not voting: Clark, Connolly, Cotter, Cutts, Harmon, Lanstrum, Larse, McMillan, Phelps, Rasmussen, Stimpert, Wheat, Working—13.

Title agreed to and Bill transmitted to the Senate for concurrence.

H. B. No. 138, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eliel, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hathaway, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—77.

Noes: Eaton, Gould, Kemmis—3.

Absent and not voting: Baldwin, Clark, Connolly, Cotter, Cutts, Farmer, Harmon, Lanstrum, Larse, McClory, McMillan, O'Brien, Phelps, Prosser, Rasmussen—15.

Title agreed to and Bill transmitted to the Senate for concurrence.

H. B. No. 123, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working, Mr. Speaker—86.

Noes: None.

Absent and not voting: Baldwin, Farmer, Harmon, Lanstrum, Larse, McMillan, Phelps, Rasmussen, White—9.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 97, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Rainey, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White, Working—76.

Noes: Andrew, Ball, Blake, Brooks, Connolly, Quaintance, Ward—7.

Absent and not voting: Baldwin, Harmon, Henderson, Lanstrum, Larse, McMillan, Page, Phelps, Prosser, Rasmussen, Searles; Mr. Speaker present but not voting—12.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 89, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Ball, Baxter, Belden, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—82.

Noes: Mason, Shaw—2.

Absent and not voting: Andrew, Baldwin, Bent, Connolly, Farmer, Harmon, Lanstrum, Larse, McMahon, McMillan, Phelps—11.

Title agreed to and Bill transmitted to the Senate for its concurrence.

H. B. No. 86, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lemmon, Lewis, Lusk, McClory, McDonald, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—83.

Noes: None.

Absent and not voting: Andrew, Baldwin, Brooks, Farmer, Harmon, Kemmis, Lanstrum, Larse, McMahon, McMillan, Phelps, Rasmussen—12.

Title agreed to and Bill transmitted to Senate for its concurrence.

H. B. No. 76, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Ball, Baxter, Belden, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaint-

ance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—87.

Noes: None.

Absent and not voting: Andrew, Baldwin, Bent, Harmon, Lanstrum, Larse, McMillan, Phelps—8.

Title agreed to and Bill transmitted to Senate for its concurrence.

H. B. No. 82, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Mr. Speaker—87.

Noes: Burnworth—1.

Absent and not voting: Baldwin, Harmon, Lanstrum, Larse, McMillan, Phelps, Working—7.

Title agreed to and Bill transmitted to the Senate for its concurrence.

On motion of McMahon, House reverted to Eighth Order of Business.

### THIRD READING OF SENATE BILLS.

I move that Senate Bill No. 15 be read a third time and vote recorded on the Journal of February 2nd. Motion carried.

A communication from the Attorney General was read, in which he expressed the opinion that the Governor was without authority to fill vacancies in the House of Representatives, caused by the death of members.

Higgins: I move that the communication from the Attorney General be inserted in the Journal in full.

Andersen (Charles): As a substitute, I move that the communication received from the Attorney General be laid on the table.

Motion to lay on the table carried by standing vote of 41 to 38.

On motion of Eliel, House recessed until 7:30 P. M.

### EVENING SESSION.

House resumed.

Mr. Speaker in the chair.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: The undersigned, Chairman of the Enrolling Committee, hereby notifies you that the following Bill has been delivered to his excellency, the Governor: February 7, 1917, at 1:30 P. M., House Bill No. 68. (Signed) Crowley. Report adopted.

Holt requested a roll call on the motion which tabled the communication received from the Attorney General regarding the authority of the Governor to appoint representatives to fill vacancies.

On motion of McMahon, seconded by 15 members, a call of the House was ordered.

Roll called and the following members were found to be absent: Anderson (Oscar W.), Baldwin, Belden, Crowley, Fuller, Henry, Higgins, Husser, Johnston of Ravalli, Lanstrum, Larse, McClory, McMillan, Mason, Quaintance, Spain, White.

A number of these members having appeared upon the floor of the House, on motion of Lusk, call of the House was dispensed with, and roll call was called on motion to lay the communication from the Attorney General on the table, resulting in the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Ball, Baxter, Bent, Blodgett, Buchanan, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Deibel, Demel, Duffy, Eliel, Farmer, Fishbaugh, Gould, Grimes, Hathaway, Hawks, Ironside, Jensen, Kehoe, Kelsey, Kemmis, Lemmon, McDonald, McMahon, Morris,



Morrow, Murray, O'Brien, Page, Prosser, Rainey, Searles, Shaw, Stimpert, Ward, Weil, Wheat—47.

Noes: Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Burnworth, Cotter, Davis, Dodds, Eaton, Griffin, Gullidge, Harbert, Harmon, Henderson, Holt, Huffaker, Husser, Ingalls, Johnson of Deer Lodge, Jones, Lewis, Lusk, Middleton, Phelps, Rasmussen, Sand, Scott, Sektnan, Working—31.

Absent and not voting: Anderson (Oscar W.), Baldwin, Belden, Fuller, Henry, Higgins, Johnston of Ravalli, Lanstrum, Larse, McClory, McMillan, McQuarrie, Mason, Quaintance, Spain, White; Mr. Speaker present but not voting—17.

Hathaway was given unanimous consent to revert to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

Hathaway: I move to take from the table the motion to reconsider S. B. No. 20.

Andersen (Charles): As a substitute for all motions, I move that the House resolve itself into a Committee of the Whole for consideration of General Orders. Motion carried.

### GENERAL ORDERS.

Murray in the chair.

House resumed.

Mr. Speaker in the chair.

Murray, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 23, by Annin, entitled, "An Act to amend Section 12 of Chapter 134 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, being an Act to regulate the practice of pharmacy and regulating the manufacture and sale of drugs and medicines in the State of Montana, and providing penalties for the violation of this Act," report same back to the House with the recommendation that it do not pass.

Also, having had under consideration H. B. No. 81, by Holt, entitled, "An Act providing for the installation of sanitary drinking fountains in all hotels, located in towns or cities in this State wherein a water works system has been or may hereafter be installed, and providing penalties for failure to comply herewith," report same back to the House with the recommendation that Section 3 thereof be amended by inserting after the word "offense" in line 21, the following: "Provided that nothing in this Act shall be construed as applying to towns or cities which do not have a publicly or privately owned sewage system," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 174, by Deibel, entitled, "An Act to amend Section 9812 of the Revised Codes of 1907, of the State of Montana, relating to aiding or abetting or concealing or harboring escapes from the Montana State Industrial School," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 152, introduced by Ward, entitled, "An Act to amend Section 3342 of the Revised Codes of 1907, as amended by Chapter 103 of the Session Laws of 1911, relating to the amount of taxes to be assessed and levied by municipalities for general municipal and administrative purposes, and for the purpose of maintaining public parks," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 122, introduced by Murray, entitled, "An Act to regulate the hours of continuous employment of firemen in cities of the first and second class," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 38, by Jones, entitled, "An Act to require railway companies or corporations to report delayed trains, prescribing the method thereof and providing penalties; repealing Sections 4345, 4346, 4347 and 4348 of the Revised Codes of the State of Montana, and Chapter 105, Session Laws of the Eleventh Legislative Assembly, entitled an Act to require railway corporations, operators, agents or persons in charge of railroad, telegraph or telephone stations to report delayed trains, prescribing the method thereof, and



providing penalties," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 157, introduced by Henderson, entitled, "An Act to amend Sections 1, 2 and 3 of Chapter 139 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, providing for the creation, organization and classification of new counties, for locating county seats, and for the election and appointment of officers," report same back to the House with the recommendation that it do not pass.

Also, having had under consideration H. B. No. 183, introduced by Oscar Anderson, entitled, "An Act authorizing the assignment by County Treasurers of duplicate certificates of tax sale issued to counties on sales of property for taxes," report same back to the House with the recommendation that it be re-referred to General Orders.

Also, having had under consideration H. B. No. 175, by Deibel, entitled, "An Act to amend Section 9810 of the Revised Codes of 1907 of the State of Montana relating to release, parole or pardon of the inmates of the Montana State Industrial School," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 177, introduced by Harbert, entitled, "An Act providing for the leasing and granting of easements in and rights of way over lands owned by the State of Montana, lying between low and high water mark of any navigable lake and repealing Chapter 124 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana," report same back to the House with the recommendation that it be re-referred to General Orders.

Also, having had under consideration H. B. No. 182, introduced by Ironside, entitled, "An Act to prohibit deputy state officers and other employees of the State from engaging in business that will cause unfair competition; to prevent such persons who travel at the expense of the State from engaging in business of purchasing, selling, storing or manufacturing articles of commerce, farm, dairy or other products, or engaging in the business of insurance, bonding, trading, manufacturing or other lines of business or occupation, save and except the duties required of them by law, and to prevent said State officers and employees from acting as agents of those who are engaged in said pursuits and industries, and to punish those who violate the provisions of this Act," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 153, by Huffaker, entitled, "An Act authorizing cities and towns to regulate motor vehicles and to prescribe penalties for violation of such regulations," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 176, by Lewis, entitled, "An Act amending Section 8416 of the Revised Codes of Montana of 1907, prohibiting gambling games and providing a penalty for the violation thereof," report same back to the House with the recommendation that Section 1 thereof be amended by striking out in line 8 the words "or solo," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 95, by Belden, entitled, "An Act to provide for the extension of incorporated cities and towns and repealing all Acts and parts of Acts in conflict therewith," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. J. M. No. 1, introduced by Bernard, memorializing the Congress of the United States to make an appropriation for the improving of the outlet of Flathead lake for the purpose of relieving and abating flood conditions during high water periods, report same back to the House with the recommendation that it do pass. Report adopted.

On motion of McMahon, House adjourned at 9:35 P. M. until 11:00 A. M., Thursday, February 8, 1917.

J. F. O'CONNOR, Speaker.  
C. H. TREACY, Chief Clerk.

## THIRTY-NINTH DAY

Thursday, February 8, 1917.

House met at 11:00 A. M. pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll called. All members present.

Blodgett, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the Thirty-eighth day and find the same correct. Report adopted.

## NOTICES OF BILLS.

By Eaton: "An Act to amend Section 301, Revised Codes of 1915, of the State of Montana, to change the name of Rural School Inspector to Rural School Supervisor and to provide for two Rural School Supervisors."

By Belden: "An Act providing for the retirement of public school teachers, and creating certain of these funds by contribution from teachers, investment of funds, gifts to funds, appropriations and payments for county school funds; providing for the custody and management of these funds; providing for the collection, conditions of investment and conditions of distribution of the funds; providing for the creation of a retirement board and prescribing the duties and powers of such board; providing for assistance and expenditures of such board in meeting and carrying out the provisions of this Act; providing for a Teachers' Retirement association and conditions of membership therein; and providing conditions under which teachers may receive annuities, equities, dividends, and pensions from these funds."

By Grimes: "An Act making an appropriation for the purpose of defraying the expenses of making motion picture films of the members of the Senate, House of Representatives and attaches of the 15th Legislative Assembly, and officials and employees of the executive departments of the State of Montana."

By Eliel: "An Act to repeal the law known as the Direct Primary law enacted by the people of the State of Montana at the General Election held November 2, 1912, providing for a referendum upon this Act and its submission to the people at the General Election to be held in November, 1918, for their approval or rejection."

By Eaton: "An Act to accept the terms and provisions of the Federal Act giving aid to the several states for vocational education, and to authorize the State Board of Education to establish vocational education in the public elementary schools and public High Schools of the State; to provide for the training of teachers of vocational subjects, designating the State Treasurer as custodian for vocational education with authority to accept and disburse money received from the Federal government for such vocational education and the training of teachers and appropriating money to meet appropriations made by the Federal government for such purposes."

By Mason: "An Act to amend Section 7891 of the Revised Codes of Montana of 1907, relating to witnesses, as amended by Chapter 66, Session Laws 1909, and as amended by Chapter 41, Session Laws of 1913."

By Dodds: "An Act to establish a County Game commission to provide for the appointment, powers and duties thereof, and tenure of office of the members of the same; to provide for a County Hunting license, the manner of issuing the same and for the disposal of moneys received therefrom; and to provide for the propagation of game and game foods; and making it a misdemeanor to hunt without a county license."

By Morrow: "An Act establishing and defining the boundary line between Musselshell County and Rosebud County, State of Montana."

By Prosser: "An Act to provide for the assessment of the property of itinerant, transient and merchant's salesman of bankrupt stock, etc."

By Kelsey: "An Act providing for the regulation of construction and control of certain public utilities to obtain certificates from the Public Service Commission of Montana before the commencement of construction of a public utility

that the public convenience and necessity require or will require such construction and providing for exceptions."

By Eaton: "An Act to repeal Sections 1 and 2 of Chapter 77 of the Session Laws of the 13th Legislative Assembly and to transfer the duties now devolving upon the office of the State Dairy Commissioner to the State veterinarian, to the State Board of Health, and to the State College of Agriculture and Mechanic Arts, and making an appropriation for the additional educational dairy work transferred to the State college."

By Harmon: "An Act to amend Section 6 of Chapter 108 of the Session Laws of 1909; an Act to regulate the public service of stallions and jacks in Montana."

By Lanstrum: "An Act to amend Section 2763 of the Revised Codes of the State of Montana."

By Davis: "An Act amending Section 4349 of the Revised Codes of Montana, 1907, concerning rates which may be charged for carrying passengers from any point within the State of Montana to another point within the State."

By Clark: "An Act relating to State land sales within three miles of towns and cities."

By McMillan: "An Act to create the County of River, designate its boundaries, and provide for its organization, and government, and to change the boundaries of Sheridan county to conform thereto."

#### REPORTS OF STANDING COMMITTEES.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 195, introduced by Brooks, being a Bill for an Act entitled, "An Act to provide for the construction of a fish hatchery for the propagation of food fish and other fish in Park County, Montana, and to appropriate money therefor," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that said Bill do pass."

Report adopted and Bill referred to General Orders.

Husser, from the Committee on Public Health and Sanitary Affairs, reported as follows:

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 180, by Shaw, a Bill for an Act entitled, "An Act to amend Section 1808 of the Revised Codes of Montana, 1907, relating to the inspection of horses when moved from one county to another within the State," respectfully beg leave to report that we recommend same be referred to Committee on Livestock and Public Ranges."

Report adopted and Bill referred to Committee on Live Stock and Public Ranges.

Weil, from the Committee on Privileges and Elections, reported as follows:

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 8, a Bill for an Act entitled, "An Act to amend Section 10 of Chapter 122 of the Session Laws of the Fourteenth Legislative Assembly, relating to the registration of electors," respectfully beg leave to report as follows: That we recommend that the same be concurred in by the House."

Report adopted and Bill placed on General Orders.

Searles, from the Committee on Fish and Game, reported as follows:

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 218, a Bill for an Act entitled, "An Act to provide for the construction of a fish hatchery, for the propagation of food fish and other fish, in Ravalli County, Montana, and to appropriate money therefor," respectfully beg leave to report as follows: That it be re-referred to Appropriations Committee and that the same do pass.

Report adopted and Bill referred to Appropriations Committee.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 71, introduced by Bent, beg leave to report same back as correctly enrolled.



## INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 263, introduced by Harbert, Holt, Mason and White. A Bill for an Act entitled, "An Act providing for the safe investment of the State permanent common school funds, and all other permanent State educational, charitable and penal institution funds in the securities herein designated; for the prompt collection of interest thereon; providing a method of procedure in making said investments to guard and protect such funds; and prescribing the duties and obligations of the various officers of the State in making said investments and repealing all laws and parts of laws in conflict herewith." Read first and second time and referred to Committee on Agriculture.

H. B. No. 264, introduced by Judiciary Committee: A Bill for an Act entitled, "An Act concerning the examination and admission of attorneys and counsellors at law to practice law in this State, and concerning the trial and conduct of proceedings in actions for the suspension, or the disbarment from practice of such attorneys and counsellors; providing an annual license tax to be paid by all practicing attorneys and counsellors in this State, and methods of collecting the same, and penalties for violation of any provision of this Act; providing for the disposition and expenditure of all moneys collected under the provisions of this Act." Read first and second time and referred to Judiciary Committee.

H. B. No. 265, introduced by Burnworth: A Bill for an Act entitled, "An Act to alter boundaries between Rosebud County on one side and Yellowstone County on the other side and to fix and establish as far as possible said boundary lines on section lines; and to provide that each of said counties shall transcribe and certify the records thereof." Read first and second time and referred to Committee on New Counties and Divisions.

H. B. No. 266, introduced by Farmer: A Bill for an Act entitled, "An Act to repeal Chapter 81 of the Thirteenth Legislative Session, an Act providing that no license be required for moving picture shows in places having a population not exceeding one thousand five hundred." Read first and second time and referred to Judiciary Committee.

H. B. No. 267, introduced by Stimpert: A Bill for an Act entitled, "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section Four of Article XVI of the Constitution relating to County Commissioners." Read first and second time and referred to Judiciary Committee.

H. B. No. 268, introduced by Prosser: A Bill for an Act entitled, "An Act to provide for the licensing of peddlers, hawkers, itinerant merchants and persons who travel from house to house carrying for sale, offering for sale, exposing for sale or soliciting orders by sample or catalogue for any goods, wares or merchandise, classifying the same, providing for application for, and a deposit of money in addition to, license fee, and prescribing length of time same shall remain and be a deposit; providing that deposit shall be liable to attachment and execution by creditors of licensees; prescribing penalty for violation of Act; fixing amount to be paid for license; providing for collection of same; prescribing duties of county treasurers with reference thereto; exempting peddlers of farm and agricultural products and repealing conflicting Acts." Read first and second time and referred to Judiciary Committee.

H. B. No. 269, introduced by Deibel: A Bill for an Act entitled, "An Act to amend Section 435 of the Revised Codes of the State of Montana, of 1907, relating to payment of salaries of officers." Read first and second time and referred to Judiciary Committee.

H. B. No. 270, introduced by Anderson: A Bill for an Act entitled, "An Act to amend Section 2 of Chapter 25, of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, 'An Act to secure for threshermen a lien upon grain and other crops threshed by them for their compensation, and to provide for the filing and foreclosure of said liens.'" Read first and second time and referred to Judiciary Committee.

H. B. No. 271, introduced by Holt: A Bill for an Act entitled, "An Act to amend Section 1 of Chapter 8 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to unfair competition and discrim-



ination, and providing penalty for the infraction of the provisions thereof." Read first and second time and referred to Committee on Corporations other than Municipal.

### READING OF SENATE BILLS.

S. B. No. 58, read first and second time and referred to Committee on New Counties and Divisions.

S. B. No. 76, read first and second time and referred to Committee on New Counties and Divisions.

Mr. Speaker notified the House that he was about to sign H. B. No. 71, and signed same in the presence of the House.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report that House Bills Nos. 168, 106, 107, 149, 196 and 197 have been returned, correctly printed.

Report adopted and Bills placed on General Orders.

### MOTIONS AND RESOLUTIONS.

Bent: I move that H. B. No. 162 be placed on General Orders.

Roll call demanded and motion lost by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Bent, Bernard, Buell of Gallatin, Carli, Crismas, Deibel, Demel, Dodds, Eaton, Fuller, Griffin, Gullidge, Harbert, Harmon, Hathaway, Henry, Higgins, Holt, Ingalls, Johnston of Ravalli, Spain, Stimpert, White, Mr. Speaker—38.

Noes: Ashby, Ball, Belden, Blake, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Clark, Connolly, Crowley, Cutts, Davis, Duffy, Eliel, Farmer, Fishbaugh, Gould, Grimes, Hawks, Henderson, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kelsey, Lanstrum, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Murray, O'Brien, Prosser, Quaintance, Scott, Searles, Shaw, Ward, Weil, Wheat—50.

Absent and not voting: Andrew, Baxter, Blodgett, Cotter, Kemmis, Larse, Working—7.

Leemon: I move that H. B. No. 199 be re-referred to Committee on Public Utilities and State Commissioners.

Higgins: I move, as a substitute, that H. B. No. 199, be withheld from consideration on General Orders for two days. Substitute motion carried.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE.

The following communication was received from His Excellency, the Governor:

Executive Office, February 7, 1917.

The Speaker of the House of Representatives, Helena, Montana.

I have the honor to advise you that I have this day approved the following House Bills:

H. B. 49—Relating to defrauding the owner of an inn or hotel, etc.

H. B. 58—Relating to the management of State lands.

H. B. 68—Relating to the management of State lands.

H. B. 74—Authorizing cities or towns to receive gifts, donations, etc.

H. J. R. 1—Memorializing Congress for an appropriation for the Flathead Irrigation project.

H. J. R. 2—Memorializing Congress for the passage of hydro-electric power legislation.

H. J. R. 4—Memorializing Congress for an appropriation for dredging Polson Bay.

H. J. M. 2—Memorializing Congress to relinquish jurisdiction over the Missouri and Yellowstone rivers in Montana.

H. J. M. 3—Memorializing Congress for a biological survey of Flathead, Whitefish and Swan Lakes.

S. V. STEWART, Governor.

The following communications were received from the Senate:

Senate Chamber, February 7, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committees with recommendations:

Committee on Judicial Districts reported Senate Bill No. 135, introduced by Morris, entitled, "An Act to create the Eighteenth Judicial District of the State of Montana, to be composed of the Counties of Hill and Blaine, and to provide and designate the powers, duties, term and compensation of the Judge of said Eighteenth Judicial District, and to provide that the Twelfth Judicial District of the State of Montana shall hereafter embrace the territory within the County of Chouteau," with the recommendation that the Bill do pass. Report adopted.

Committee on Election and Privileges reported Senate Bill No. 118, introduced by Healy, entitled, "An Act to provide a method of voting at general, special and primary elections, including general and special and primary municipal elections, by electors absent, or expecting to be absent, on the day of any such election from the County in which they are electors, and making regulations regarding such voting," with the recommendation that it do pass. Report adopted.

Committee on Agriculture reported Senate Bill No. 71, introduced by White-side, entitled, "An Act to regulate the storage of goods in warehouses, and fixing penalties for the violation of this Act," with the recommendation that the Bill do pass. Report adopted.

Committee on Printing reported that Senate Bills 78 and 132 were correctly printed. Report adopted.

Committee on Enrollment reported Senate Joint Resolution No. 4, correctly enrolled. Report adopted.

Committee on Agriculture reported Senate Bill No. 48, introduced by Stevens, with the recommendation that the Bill be amended, as follows:

Senate Bill No. 48. Amend by inserting the words "and to repeal Chapter 71" after the words "Chapter 92" in line 6 of the title of said Bill.

Senate Bill No. 48. Amend Section 5, by inserting the words "or a bond executed by such public warehouseman together with not less than three individual sureties, each of whom shall qualify in the manner and in the amount prescribed by Section 385 of the Codes of Montana, 1907," between the words "State of Montana" at end of line 4 of Section 27 and the word "to" at the beginning of line 5 in said Section 27.

Senate Bill No. 48. Amend by inserting after Section 25 the following:

"Section 26. That Chapter 71 of the Laws, Resolutions and Memorials of the State of Montana passed by the Fourteenth Regular Session of the Legislative Assembly be, and the same is hereby repealed."

Senate Bill No. 48. Amend by changing "Section 26" to read "Section 27" and making "Section 27" read "Section 28," and that the Bill do pass as amended. Report adopted.

Committee on Agriculture reported Senate Bill No. 59, introduced by White-side, entitled, "An Act to encourage the construction of public warehouses and elevators for the storage and handling of grain and other food products; to provide for the issuance of bonds for said purpose under State supervision; to create a State warehouse commission and defining the powers and duties of said commission; to create a State grain grading commission; and defining its powers and duties and appropriating money to carry out the provisions of this Act," with the recommendation that the Bill be amended as follows:

S. B. No. 59. Amend by striking out all of the title after the word "Commission" in the sixth line of the title, and insert in lieu thereof, the following: "to provide for official determination of disputed grades or dockage of grain."

S. B. No. 59. Amend Section 2 by adding thereto the following "And the power to prescribe the form and scope of such warehouse receipts."

S. B. No. 59. Amend Section 19, line 132, by striking out the words "State Grain Grading Commission" and insert in lieu thereof the following: "Montana Grain Inspection Laboratory."

S. B. No. 59. Amend line 134 by striking out the words "Grading Commission" and insert in lieu thereof the following: "director of the Montana Grain Inspection laboratory."

S. B. No. 59. Line 134, amend by striking out the word "Commission" near the end of said line and insert in lieu thereof the word "director."

S. B. No. 59. Amend in line 136 by striking out the words "grading commission" and insert in lieu thereof the word "director."

S. B. No. 59. Amend Section 20, lines 141 and 142 by striking out the words "or any member of the State Grain Grading commission."

S. B. No. 59. Amend by striking out all of Section 18 and Section 21, and by designating the remaining Sections in numerical order, and that the Bill as so amended do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 7, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate, in open session, this day signed the following measures:

S. B. No. 52, introduced by Kinney.

S. J. R. No. 4, introduced by Edwards.

S. B. No. 15, introduced by Larson and Cotter.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 7, 1917.

(Afternoon Session.)

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were reported from Standing Committees with recommendations:

Committee on Engrossed Bills reported Senate Bills Nos. 58 and 76 correctly engrossed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 7, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notice of a Bill was this day given:

By Willett: "An Act to submit to the qualified electors of the State of Montana an amendment to Section 5 of Article V, of the Constitution of the State of Montana, relating to the holding of Sessions of the Legislative Assembly."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 7, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 141, introduced by Roberts, entitled, "An Act to amend Section 2109 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the submission to electors of question of Bond issue for County High Schools." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 7, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Judiciary, to whom was referred House Bill No. 67, introduced by Wheat, entitled, "An Act to regulate the giving or furnishing of bonuses or premiums, such as the giving or furnishing of stamps, coupons, tickets, certificates, cards, gifts or premiums, such as crockery, chinaware, aluminumware, tinware, or anything else that may be included with or contained in packages of any kind of merchandise, of any description, or other similar device for or with or in connection with the sale of goods, wares or merchandise, and providing a penalty for the violation thereof," this day reported the Bill back without recommendation. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 7, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body

that the following House measures were this day read first and second time, and referred as follows:

H. B. No. 22, introduced by Crismas, referred to Committee on Taxation.

H. B. No. 24, introduced by Bernard, referred to Committee on Election and Privileges.

H. B. No. 112, introduced by Husser, referred to Committee on Sanitary Affairs.

H. B. No. 113, introduced by Ward, referred to Committee on Counties and Towns.

H. B. No. 109, introduced by Demel, referred to Committee on Counties and Towns.

H. B. No. 4, introduced by Murray, referred to Committee on Labor and Capital.

H. B. No. 128, introduced by Demel and Scott, referred to Committee on Counties and Towns.

H. B. No. 127, introduced by Buell, referred to Committee on Counties and Towns.

H. B. No. 63, introduced by Hathaway, referred to Committee on Counties and Towns.

H. J. M. No. 5, introduced by Hathaway, referred to Committee on Federal Relations.

H. B. No. 133, introduced by Farmer, referred to Committee on Counties and Towns.

H. B. No. 79, introduced by Burnworth, referred to Committee on Judiciary.

H. B. No. 36, introduced by Harbert, referred to Committee on Counties and Towns.

H. B. No. 72, introduced by Bernard, referred to Committee on Public Lands.

H. B. No. 6, introduced by Page, referred to Committee on Railroads and Transportation.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 7, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given: Afternoon Session.

By Kinney: "An Act to amend Section 1 of Chapter 8 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to unfair competition and discrimination, and providing penalty for the infraction of the provisions thereof."

Respectfully,

J. F. CONE, Secretary of the Senate.

### THIRD READING OF HOUSE BILLS.

Senate amendments to House Bill No. 17 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Higgins, Holt, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Lemmon, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White, Working, Mr. Speaker—85.

Noes: None.

Absent and not voting: Baxter, Davis, Harmon, Henderson, Henry, Hufaker, Kemmis, Larse, McMahon, Ward—10.

Bill referred to Engrossing Committee.

On motion of Mason, House reverted to Fifth Order of Business.



## INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 272, introduced by Mason: A Bill for an Act entitled, "An Act providing for a Code Commissioner, the appointment of same, the date of said appointment and his term and oath of office; the division of the codes and indexing of same, the matter to be included therein, the identification of the statutes, the powers and compensation of said commissioner, the annotation and form of publication of said codes, the contract for the printing of same, the bond of contractor, the disposition of said Revised Codes and providing an appropriation for same." Read first and second time and referred to Judiciary Committee.

H. B. No. 273, introduced by McQuarrie: A Bill for an Act entitled, "An Act to prevent the adulteration of linseed or flaxseed oil, to prevent deception in the sale thereof, and to provide for the punishment of such adulteration and deception." Read first and second time and referred to Committee on Sanitary Affairs.

H. B. No. 274, introduced by Ironside: A Bill for an Act entitled, "An Act to encourage patriotism and to cause those who would enjoy the pursuit of happiness and acquire prosperity in Montana to first manifest their intention to become citizens of the United States, and to that end prevent those who will not do so from seeking or accepting employment in Montana, and to prevent the people of Montana from hiring such persons and to punish violations of this Act." Read first and second time and referred to Judiciary Committee.

H. B. No. 275, introduced by Ashby: A Bill for an Act entitled, "An Act creating a lien on motor vehicles for labor furnished, or machinery, supplies, materials or storage contributed, in making, altering, repairing, storing or otherwise caring for the same; and providing for the filing of a statement of such lien, the enforcing and foreclosure of the same." Read first and second time and referred to Committee on Labor.

On motion of Rainey, House reverted to Second Order of Business.

## NOTICES OF BILLS.

By Rainey: "An Act to provide for teacher training in accredited County and District High Schools and to license the graduate thereof to teach under certain conditions."

On motion of Lusk, House recessed until 1:30 P. M.

## AFTERNOON SESSION.

House reassembled at 1:30 P. M.

Mr. Speaker in the chair.

Connolly, from the Engrossing Committee, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Joint Memorial No. 1. House Bills Nos. 38, 81, 95, 132, 152, 153, 174, 175, 176, 182, beg leave to report same back as correctly engrossed.

Report adopted and Bills placed on calendar for Third reading.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 17, introduced by Working, beg leave to report same back as correctly re-engrossed for Senate amendment.

Report adopted and Bill referred to Enrolling Committee.

On motion of Duffy, House resolved itself into a Committee of the Whole for consideration of General Orders.

## GENERAL ORDERS.

Lemmon in the chair.

House resumed.

Mr. Speaker in the chair.

Lemmon, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole having had under consideration S. B. No. 50, by Morris, entitled, "An Act to cede jurisdiction to the United States over that part of the Yellowstone National park in the State of Montana, and for other purposes," report same back to the House with the recommendation

that Section 1 thereof be amended by inserting in line 17, after the word "lands," the following: "as long as the lands herein described are used for a National park and no other purposes," and that, as amended, Bill be concurred in.

Also, having had under consideration S. B. No. 65, by Healy, entitled, "An Act to empower cities of the first, second and third class to provide band concerts for the entertainment of their people during the months of June, July, August and September of each year," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration Senate Joint Resolution No. 3, by Hogan, relating to compensation of employees in the Federal Mail service, report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration H. B. No. 183, introduced by Oscar Anderson, entitled, "An Act authorizing the assignment by County Treasurers of duplicate certificates of tax sale issued to counties on sales of property for taxes," report same back to the House with the recommendation that it be re-referred to General Orders.

Also, having had under consideration S. B. No. 31, by Oliver, entitled, "An Act in relation to the release of record of oil, gas and other mineral leases, providing civil remedies in connection therewith," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration Substitute S. B. No. 41, by Burla, entitled, "An Act to amend Section 9006 of the 1907 Revised Codes of Montana, having to do with the removal of public officers by summary proceedings," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 27, by Clark entitled, "An Act providing for the manner, time, and place of issuing Bills of Lading and the manner, time and place of delivery of Bills of Lading by Railway companies, at stations where station agents are not provided; and providing a penalty for the violation thereof," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 11, by Edwards, entitled, "An Act to require the establishment, maintenance and operation of a public market house or market space at the County Seats of the counties of Gallatin, Park, Sweet Grass, Stillwater, Yellowstone, Carbon, Big Horn, Rosebud, Custer, Fallon, Prairie, Dawson, Wibaux, Richland, Sheridan, Valley, Phillips, Blaine, Hill, Chouteau, Fergus, Musselshell, Meagher and Teton, and to permit the establishment, maintenance and operation thereof at the county seats of the other counties of the State of Montana, providing for the supervision and control thereof, and for the acquiring of property for the purpose of carrying out the provisions of this Act, and penalties for the violation thereof," report same back to the House with the recommendation that it be reprinted and returned to General Orders.

Also, having had under consideration H. B. No. 177, by Harbert, entitled, "An Act providing for the leasing and granting of easements in and rights of way over lands owned by the State of Montana, lying between low and high water mark of any navigable lake and repealing Chapter 124 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana," report same back to the House with the recommendation that it be re-referred to the Judiciary Committee.

Also, having had under consideration H. B. No. 195, by Brooks, entitled, "An Act to provide for the construction of a fish hatchery for the propagation of food fish and other fish in Park county, Montana, and to appropriate money therefor," report same back to the House with the recommendation that it do pass. Report adopted.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 137, 121 and 216, beg leave to report that same have been correctly printed.

Report adopted and Bills placed on General Orders.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to notify you that

the following Bills have been delivered to His Excellency, the Governor: February 8, 1917, at 1:40 P. M., House Bills Nos. 62 and 71. Report adopted.

Cotter was granted unanimous consent to revert to Fifth Order of Business.

### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 276, introduced by Cotter: A Bill for an Act entitled, "An Act to amend Section 23a of Chapter 140 of the laws enacted by the Twelfth Legislative Assembly of the State of Montana, and to add a new Section to said Chapter 140, to be numbered 'Section 23b,' concerning the valuation of benefit certificates of fraternal benefit societies in force upon a basis designated 'Accumulation Basis,' prescribing the method of arriving at such valuation, and the financial condition which such societies shall maintain, and conferring certain powers upon and prescribing certain duties to be performed by the State Commissioner of Insurance." Read first and second time and referred to Judiciary Committee.

On motion of Blodgett, House reverted to Second Order of Business.

### NOTICES OF BILLS.

By Blodgett: "An Act appropriating money to pay the deficiency claim of Tim Driscoll for transporting prisoners to the State Penitentiary during January and February, 1915."

By Blodgett: "An Act providing that a sum equivalent to one-tenth of one mill on each dollar of valuation on real and personal property in each county of the State, shall be deducted annually by each county from the County School fund and set apart as a fund known as the Public School Teachers' Retirement Salary fund; requiring the County Superintendent to deduct said sum from such County school fund before apportioning the revenue of the school district within the County; providing for such Public School Teachers' Retirement Salary Fund so set apart to be remitted by the County Treasurer to the State Treasurer to the credit of the Public School Teachers' Retirement Salary fund, in the hands of the State Treasurer."

By Carll: "An Act prohibiting the exhibition and use of sacreligious, obscene, indecent, lewd, lacious or immoral moving picture film or reel, or any moving picture film or reel which tend to corrupt morals."

By Shaw: "An Act authorizing the County Assessors to classify the lands in their respective counties, under the supervision of the State Board of Equalization."

Kemmis and Cotter gave notice that had they been present this morning when a motion to place H. B. 162 upon General Orders was made, they would have voted aye.

Eliel moved that notice of Kemmis and Cotter be inserted in the Journal. Motion carried.

On motion of Lusk, House adjourned until 10:30 A. M., Friday, February 9, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

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## FORTIETH DAY

Friday, February 9, 1917.

House met at 10:30 A. M., pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll called. All members present.

Ironside, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Journal Committee beg leave to report that they have examined the Journal of the Thirty-ninth day and find the same to be correct. Report adopted.

## COMMUNICATIONS AND PETITIONS.

A communication was received from Mrs. Lucile Flanigan expressing her deep appreciation for the tribute paid by the members of the House to her late husband, Jere J. Flanigan, and for the sympathy extended to herself and her children in their bereavement.

A communication was received, stating the desirability of the House extending an invitation to the Honorable Richard J. Cooke, an orator, thinker and author, to give his famous lecture entitled, "Our Nation Today and Her Foreign Relations," and inviting the Senate, the Supreme Court and the Governor to be the guests of the House upon that occasion.

Kemmis: I move that we invite Mr. Cooke to deliver the lecture at 11:00 o'clock Monday morning.

Mason: As a substitute, I move that we invite Mr. Cooke to deliver his lecture at 8:00 o'clock Monday evening. Substitute motion carried.

A communication, signed by D. J. Ryan, chairman of the Legislative Board of the Brotherhood of Railroad Trainmen for the State of Montana, and six others, was received, which communication stated that said Brotherhood of Railroad Trainmen, representing approximately two thousand members in the State of Montana, wished to go on record as being in favor of House Bill No. 6, introduced by Page, and as endorsing the passage of the Bill in its entirety.

## NOTICES OF BILLS.

By Buell of Missoula: "An Act prohibiting untrue, deceptive and misleading assertions, representation or statements of fact in advertisements within the State of Montana, and providing a penalty for the violations thereof."

By Middleton: "An Act to create the County of Carter, designate its boundaries and provide for its organization and government, and to change the boundaries of Rosebud and Big Horn counties to conform thereto."

By Lewis: "An Act relating to the licensing of hotels, rooming houses and lodging houses, and providing penalties for violations thereof."

By Lewis: "An Act to provide for the creation of a Board of Library Examiners; prescribing the duties of said Board and making an appropriation for the maintenance thereof."

By Prosser: "An Act establishing a uniform tax on certain classes of personal property, "money" and "credits" at a low uniform rate."

By Bernard and Dodds: "An Act to define the duties of the County Surveyors."

By Ashby: "An Act appropriating money for the maintenance of the State Board of Poultry Husbandry for the two years commencing March 1, 1917, and ending February 28, 1919."

By Hawks: "An Act to amend Section 12 and 3 of Chapter 139 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, providing for the creation, organization and classification of new counties, for locating county seats and for the election and appointment of officers."

By Henderson: "An Act to amend Sections 1, 2 and 3 of Chapter 139 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, providing for the creation, organization and classification of new counties, for locating county seats, and for the election and appointment of officers"

By Higgins: "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder to be known as the inheritance tax Act."

By Hurd: "An Act to establish public highways along Section lines and to provide for the opening and working of the same."

By Higgins: "An Act to impose a state corporation license tax upon corporations engaged in manufacturing, license, mining, transportation, or in any other industrial pursuits or in business of any kind in the State of Montana, and to provide for the enforcement thereof."

By Johnson: "An Act providing for the regulation of the business of using,



operating and driving automobiles, auto stages, motor vehicles or motor busses for hire as common carriers on the public highways of the State: prescribing terms, conditions and restrictions of the use of the same; providing for licenses to carry on such business and the regulation thereof; making the violation of any of the provisions of this Act a misdemeanor and providing a penalty therefor, and repealing all Acts or parts of Acts in conflict herewith insofar as the same may be in conflict."

By Harmon: "An Act to create a permanent fund to be known as the 'Anti-Hog Cholera Serum Fund,' appropriating money from the general fund for the use of such fund, and prescribing the purposes for which such fund shall be used."

By Baldwin: "An Act providing for the levy and collection of a tax upon income."

By Committee on Affairs of Cities: "An Act relating to and regulating common carriers of passengers upon public streets, roads and highways, providing for the issuance of permits, and prescribing penalties for violation."

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 17, introduced by Working, beg leave to report same back as correctly enrolled. Report adopted.

Mr. Speaker notified the House that he was about to sign S. B. No. 3, S. B. No. 60 and H. B. No. 17, and signed same in the presence of the House.

#### REPORTS OF STANDING COMMITTEES.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 188, by Higgins, a Bill for an Act entitled, "An Act defining and prohibiting blacklisting and unlawful interference with laborers, and providing for the punishment thereof, and defining what shall be accepted as evidence in blacklist cases," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

The following majority report was received from the Committee on Insurance:

Mr. Speaker: We, a majority of your Committee on Insurance, having had under consideration Senate Bill No. 5, by O'Shea, entitled, "An Act to provide for State Insurance on Public Buildings and contents, to provide for the valuation thereof; to provide for the duties of Public Officers in connection therewith; to provide for levying of assessment premiums, and for the payment of losses, to prevent any other manner of insuring public property; and to provide penalties for the violation of this Act," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it be not concurred in.

(Signed) CARL,  
LANSTRUM,  
BROOKS,  
JOHNSTON,  
WHEAT,  
LUSK,  
BLAKE,  
WEIL,  
ASHBY.

The following minority report was received from the Committee on Insurance:

Mr. Speaker: We, a minority of your Committee on Insurance, having had under consideration Senate Bill No. 5, by O'Shea, entitled, "An Act to provide for State Insurance of Public Buildings and contents; to provide for the valuation thereof; to provide for the duties of public officers in connection therewith; to provide for levying of assessment premiums, and for the payment of losses, to prevent any other manner of insuring public property; and to provide penalties for the violation of this Act," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it be concurred in.

(Signed) CRISMAS,  
KEHOE.

Wheat: I move the adoption of the majority report.

Crismas: As a substitute, I move the adoption of the minority report.

Roll call demanded, and minority report lost by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Baldwin, Baxter, Belden, Bent, Bernard, Crismas, Cutts, Davis, Dodds, Eaton, Fishbaugh, Gould, Hathaway, Hawks, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Kehoe, Kemmis, Larse, Lewis, McDonald, Morrow, Murray, Phelps, Rainey, Sand, Sektan, Spain, Stimbert—33.

Noes: Arneson, Ashby, Ball, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crowley, Deibel, Demel, Duffy, Eliel, Farmer, Fuller, Griffing, Grimes, Gullidge, Harbert, Harmon, Henderson, Henry, Higgins, Holt, Huffaker, Ironside, Johnston of Ravalli, Jones, Kelsey, Lanstrum, Lemmon, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, O'Brien, Page, Prosser, Quaintance, Rasmussen, Scott, Shaw, Ward, Weil, Wheat, Working—56.

Absent and not voting: Andrew, Clark, Husser, Searles, White; Mr. Speaker present but not voting—6.

Majority report adopted.

Prosser, from the Committee on Public Utilities, reported as follows:

Mr. Speaker: We, your Committee on Public Utilities, having had under consideration H. B. No. 91, introduced by Bernard, relating to the regulation and control of certain Public Utilities, respectfully beg leave to report as follows: That same be amended by striking out in line 2 of Section 1 thereof the words "or Municipal" also the following words in line 9, "and to the exclusion of the jurisdiction, regulation and control of such utilities by any municipality, town or village," and that, as amended, Bill do pass.

Report adopted and Bill referred to Printing Committee.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 42, introduced by Dwight, a Bill for an Act entitled, "An Act establishing and defining definitely the boundary line between Sanders and Flathead counties, Montana," respectfully beg leave to report as follows: That the same be not concurred in. Report adopted.

Weil, from the Committee on Privileges and Elections, reported as follows:

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 7, introduced by Senator Lane, "An Act dividing the State into two Congressional districts and amending Section 47, Montana Revised Codes, 1907," respectfully beg leave to report as follows: That the Bill be concurred in.

On motion, Bill referred back to Committee on Privileges and Elections.

Morrow, from the Committee on Banks and Banking, reported as follows:

Mr. Speaker: We, your Committee on Banks and Banking, having had under consideration Senate Bill No. 24, being a Bill for an Act entitled, "An Act to permit commercial banks, incorporated, organized and existing under the laws of the State of Montana, to establish branches," respectfully beg leave to report as follows: That the Bill be reported back to the House with the recommendation that it be not concurred in. Report adopted.

Duffy, from the Committee on Federal Relations, reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Memorial No. 7, introduced by McMahon, relative to policing Yellowstone National park," respectfully beg leave to report as follows: That same do pass.

Report adopted and Memorial referred to Printing Committee.

Duffy, from the Committee on Federal Relations, reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration House Joint Resolution No. 8, introduced by Eaton, a resolution memorializing Congress relative to the loaning of the funds of the postal savings bank directly to the public school districts," respectfully beg leave to report as follows: That same do pass.

Report adopted and resolution referred to Printing Committee.

Representative Cutts was granted the privileges of the floor of the House to address the Assembly upon a question of personal privilege. He addressed the Assembly upon an article appearing in the Missoulian of February 8, and introduced the following Resolution:

WHEREAS, There appeared in the columns of the Daily Missoulian, a newspaper publication of Missoula, Montana, under the date of February 8th, two voluminous articles purporting to be of an editorial nature, and setting forth as facts to the reading public of the State

First: That the membership of this House of Representatives has deliberately and knowingly attempted to ignore and set aside certain provisions of the Constitution of this State, and as a body has thereby committed "one of the most open bits of sculduggery ever perpetrated by a Montana legislature," (sculduggery being defined by Webster as underhanded rascality),

Second: That this House did flagrantly disregard an opinion from the Attorney General before the action was taken,

Third: That the Governor of this state did openly defy the plain provisions of the Constitution and thereby violate his sacred oath of office, and

WHEREAS, These charges and others of a like nature contained in the said editorials bear no resemblance to the known facts or records in the deliberations complained of, are insultingly and viciously intended as derogatory to the character, the honor and the integrity of the members of this House of Representatives as a legislative body, are detrimental to the best interests of the State and in conflict with the terms of Section 15 of Article 5 of the State Constitution, which provides that the members of the legislative assembly shall not be questioned in any place for any speech or debate in either house; now, therefore,

BE IT RESOLVED, By this House of Representatives of the State of Montana, in regular session assembled, that we most heartily condemn such contemptible journalistic methods and brand as absolute falsehoods and perversions of the facts, the statements as made by the Daily Missoulian and as contained in paragraph one of these resolutions, and

BE IT FURTHER RESOLVED, That the person or persons responsible for the publication of said articles, be held to be in contempt of this House under Section 11 of Article 15 of the Constitution of the State, and that the privileges of the floor of the House be hereafter denied to any representative of the Daily Missoulian until such time as the said statements are corrected through the columns of the Missoulian, made to conform to the facts and the records involved and an apology offered this body for the charges and attack made upon its members and the Governor of the State while acting in their official capacities as the representatives of the people of Montana.

Cutts: I move the adoption of the resolution.

Belden: As a substitute, I move that the resolution be referred to the Committee on Judiciary.

Davis: As a substitute for all motions now before the House, I move that the resolution be laid upon the table.

On request of Eliel, Belden was granted the privileges of the floor of the House, by unanimous consent.

Mr. Speaker put the motion to lay the resolution upon the table.

Motion lost, and the motion to refer the resolution to the Judiciary Committee carried by the following standing vote: Ayes 55, Noes 34.

On motion of Murray, House recessed until 2:00 P. M.

#### AFTERNOON SESSION.

House reassembled at 2:00 P. M.

Mr. Speaker in the chair.

#### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 277, introduced by Judiciary Committee: A Bill for an Act entitled, "A Bill for an Act to amend Section 7891 of the Revised Codes of Montana of 1907, relating to witnesses, as amended by Chapter 66, Session Laws 1909, and as amended by Chapter 41, Session Laws of 1913." Read first and second time and referred to Judiciary Committee.

H. B. No. 278, introduced by Gullidge: A Bill for an Act entitled, "An Act



to provide for the organization of vocational school units among school districts of the third class, for the teaching of agriculture and industrial subjects and providing for a vocational school board for the management of the same and for the vocational school unit fund." Read first and second time and referred to Committee on Education.

H. B. No. 279, introduced by Morrow: A Bill for an Act entitled, "An Act establishing and defining the boundary line between Musselshell County and Rosebud county, State of Montana." Read first and second time and referred to Committee on New Counties and Divisions.

H. B. No. 280, introduced by Kelsey: A Bill for an Act entitled, "An Act providing for the regulation of construction and control of certain public utilities; requiring such public utilities to obtain certificates from the public service commission of Montana before the commencement of construction of a public utility that the public convenience and necessity require or will require such construction and providing for exceptions." Read first and second time and referred to Committee on Public Utilities.

H. B. No. 281, introduced by McMillan: A Bill for an Act entitled, "An Act to create the County of River, designate its boundaries, and provide for its organization and government, and to change the boundaries of Sheridan county to conform thereto." Read first and second time and referred to Committee on New Counties and Divisions.

H. B. No. 282, introduced by Bernard: A Bill for an Act entitled, "An Act requiring railway companies to provide and maintain stockyards at certain railway stations in the State of Montana, and to provide for conveniences therein for feeding and watering stock, and providing for a penalty for the violation thereof." Read first and second time and referred to Committee on Railroads and Transportation.

H. B. No. 283, introduced by Harmon: A Bill for an Act entitled, "An Act to amend Section 6 of Chapter 108 of the Session Laws of 1909: an Act to regulate the public service of stallions and jacks in Montana." Read first and second time and referred to Committee on Judiciary.

H. B. No. 284, introduced by Clark: A Bill for an Act entitled, "An Act to amend Section XXIX of Chapter 147 of the Laws, Resolutions and Memorials of the State of Montana passed at the Eleventh regular Legislative Session, concerning the platting and disposition of State lands situated in or adjacent to cities and towns." Read first and second time and referred to Committee on Affairs of cities.

H. B. No. 285, introduced by Rainey: A Bill for an Act entitled, "An Act to provide for teacher training in accredited county and district high schools and to license the graduate thereof to teach under certain conditions." Read first and second time and referred to Committee on Education.

H. B. No. 286, introduced by Belden: A Bill for an Act entitled, "An Act providing for the retirement of public school teachers, and creating certain of these funds by contributions from teachers, investment of funds, gifts to funds, appropriations, and payments from county school funds; providing for the creation of a retirement board and prescribing the duties and powers of such board; providing for assistance and expenditures of such board in meeting and carrying out the provisions of this Act; providing for a Teachers' Retirement association and conditions of membership therein; and providing conditions under which teachers may receive annuities, equities, dividends, and pensions from these funds." Read first and second time and referred to Committee on Education.

H. B. No. 287, introduced by Carll: A Bill for an Act entitled, "An Act prohibiting the exhibition and use of sacreligious, obscene, indecent, lewd, lascivious or immoral moving picture film or reel or any moving picture film or reel which tend to corrupt morals." Read first and second time and referred to Committee on Public Morals, Charities and Reforms.

H. B. No. 288, introduced by Eliel: A Bill for an Act entitled, "An Act to repeal the law to provide for party nominations by direct vote, enacted by the people of the State of Montana at the general election held in November, 1912, also providing for the submission of the question of the repeal of said Act to the



people at the general election to be held in November, 1918." Read first and second time and referred to Committee on Privileges and Elections.

H. B. No. 289, introduced by Blodgett: A Bill for an Act entitled, "An Act providing that a sum equivalent to one-tenth of one mill on each dollar of valuation on real and personal property in each county of the State shall be deducted annually by each county from the county school fund and set apart as a fund known as the public school teachers' retirement salary fund; requiring the County superintendent to deduct said sum from such County school fund before apportioning the revenue of the school district within the county; providing for such public school teachers' retirement salary fund so set apart to be remitted by the County Treasurer to the State Treasurer to the credit of the public school teachers' retirement salary fund, in the hands of the State Treasurer." Read first and second time and referred to Committee on Education.

H. B. No. 290, introduced by Blodgett: A Bill for an Act entitled, "An Act appropriating money to pay the deficiency claim of Tim Driscoll, for transporting prisoners to the State penitentiary during January and February, 1915." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 291, introduced by Eaton: A Bill for an Act entitled, "An Act to amend Section 201, Revised Codes of 1915, of the State of Montana, to change the name of rural school inspector to rural school supervisor and to provide for two rural school supervisors." Read first and second time and referred to Committee on Education.

H. B. No. 292, introduced by Shaw: A Bill for an Act entitled, "An Act to provide for the classification of all privately owned lands in the State of Montana by the various county assessors of the State." Read first and second time and referred to Judiciary Committee.

H. B. No. 293, introduced by Eaton: A Bill for an Act entitled, "An Act to accept the terms and provisions of the Federal Act giving aid to the several States for vocational education, etc." Read first and second time and referred to Judiciary Committee.

H. B. No. 294, introduced by Dodds: A Bill for an Act entitled, "An Act to establish a County Game commission to provide for the appointment, powers and duties thereof, and tenure of office of the members of the same; to provide for a county hunting license, the manner of issuing the same and for the disposal of moneys received therefrom, and to provide for the propagation of game and game foods, and making it a misdemeanor to hunt without a County license." Read first and second time and referred to Committee on Judiciary.

H. B. No. 295, introduced by Prosser: A Bill for an Act entitled, "An Act to provide for the assessment of the property of itinerant, transient or merchant's salesmen of bankrupt stock, etc." Read first and second time and referred to Judiciary Committee.

H. B. No. 296, introduced by Holt and Johnston: A Bill for an Act entitled, "An Act providing for the extermination of gophers, and prescribing the manner in which the expenses of extermination of same shall be paid." Read first and second time and referred to Committee on Agriculture.

H. B. No. 297, introduced by Davis: A Bill for an Act entitled, "An Act to amend Section 4349 of the Revised Codes of Montana, 1907, concerning passenger rates charged by any railroad or railway company operating wholly or in part in the State of Montana." Read first and second time and referred to Committee on Railways and Transportation.

H. B. No. 298, introduced by White: A Bill for an Act entitled, "An Act appropriating money to pay a judgment obtained against the State of Montana by William B. Pomeroy, together with the interest thereon, which judgment was entered in the District Court of Lewis and Clark County on the 12th day of September, 1913, and affirmed by the Supreme Court of the State of Montana on June 12, 1915."

Read first and second time at length and referred to Appropriation Committee.

#### READING OF SENATE BILLS.

S. B. No. 6, read first and second time and referred to Committee on Education.

S. B. No. 10, read first and second time and referred to Committee on Public Health and Sanitary Affairs.

S. B. No. 19, read first and second time and referred to Committee on Judiciary.

S. B. No. 63, read first and second time and referred to Committee on Judiciary.

S. B. No. 64, read first and second time and referred to Committee on Judiciary.

S. B. No. 73, read first and second time and referred to Committee on Judiciary.

S. B. No. 85, read first and second time and referred to Committee on Judiciary.

S. B. No. 88, read first and second time and referred to Committee on Judiciary.

S. B. No. 92, read first and second time and referred to Committee on Judiciary.

S. B. No. 95, read first and second time and referred to Committee on Public Health and Sanitary Affairs.

S. B. No. 104, read first and second time and referred to Committee on Judiciary.

S. B. No. 114, read first and second time and referred to Committee on Judiciary.

#### CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE.

The following communication was received from His Excellency, the Governor:

Executive Office, February 8, 1917.

The Speaker of the House of Representatives, Helena, Montana.

I have the honor to advise you that I have this day approved the following Bills:

H. B. 62: An Act to amend Section 3246 of the Revised Codes of Montana of 1907, relating to salary of clerk.

H. B. 71: An Act to provide free textbooks for the use of the pupils of the public schools and high schools at the expense of the districts and to require the trustees and school boards of each district to purchase same and make rules governing the use of said books and to allow them sold at cost for use of pupils when desired by parents or guardians; and to amend Section 1811, Chapter 76, Laws of Thirteenth Legislative Assembly.

S. V. STEWART, Governor.

The following communications were received from the Senate:

Senate Chamber, February 8, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Edwards: "An Act to repeal Sections 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624 and 625, of the Revised Codes of the State of Montana for 1907 and Chapter 99 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana relating to elections and voting when machines are used."

By Ellingson and Oliver: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution, relating to County Commissioners."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 8, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were reported from the Standing Committees with recommendations:

Committee on Public Lands reported Senate Bill No. 66, by McCone, with the recommendation that the Bill do pass. Report adopted.

Also S. B. No. 116, by Roberts, relating to Farm Loans, with the recom-

mendation that the Bill be amended and that as amended the Bill do pass. Report adopted.

Also S. B. No. 134, by Haley, relating to patents and certificates for purchase of lands from the State of Montana, with the recommendation that the Bill be amended and as amended that the Bill do pass. Report adopted.

Committee on Labor and Capital reported Senate Bill No. 39, by Healey, relating to agreements between employees and laborers, with the recommendation that the Bill do pass. Report adopted.

Committee on Judiciary reported S. B. No. 91, by McCone, relating to investment of school funds, with the recommendation that the Bill be amended, and that as amended the Bill do pass. Report adopted.

Also S. B. No. 137, by Edwards, relating to the Revision of Section 2502 of the Revised Codes of Montana, with the recommendation that the Bill be printed and referred to the Joint Committee on Taxation. Report adopted.

Committee on Fish and Game reported S. B. No. 100 and S. B. No. 125, with the recommendation that they be indefinitely postponed and offered a substitute Bill relating to the fish and game laws, and recommended that the substitute Bill do pass. Report adopted.

Committee on Agriculture reported S. B. No. 106, by Stevens, relating to a grain inspection laboratory, with the recommendation that the Bill be amended and that as so amended do pass. Report adopted.

Committee on Irrigation and Water Rights reported S. B. No. 108, by Committee on Irrigation and Water Rights, relating to irrigation districts, with the recommendation that the Bill do pass. Report adopted.

Committee on Mines and Mining reported S. B. No. 32 by Oliver, relating to oil and gas well casings, with the recommendation that the Bill do pass. Report adopted.

Also, S. B. No. 57, by Whiteside, relating to State Geologist, with the recommendation that the Bill do pass. Report adopted.

Also S. B. No. 51, by Gallwey, relating to explosives, with the recommendation that the Bill do pass, as amended. Report adopted.

Committee on Engrossed Bills reported that Senate Bills Nos. 6, 10, 19, 63, 64, 73, 85, 88, 92, 95, 104 and 114 were correctly engrossed. Report adopted.

Committee on Printing reported that Senate Bills Nos. 45, 83, 101, 113, 135, 35, 112, 102, 110 and 99 were correctly printed.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 8, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day reported from the Standing Committees with recommendations:

Committee on Judiciary reported House Bill No. 50, introduced by Farmer, with the recommendation that the Bill be not concurred in. Report adopted. Bill is herewith returned.

Committee on Judiciary reported House Bill No. 87, introduced by Belden, with the recommendation that the Bill be concurred in. Report adopted.

Committee on Judiciary reported House Bill No. 79, introduced by Burnworth, with the recommendation that the Bill be not concurred in. Report adopted. Bill is herewith returned.

Committee on Capital and Labor reported House Bill No. 4, introduced by Murray, with the recommendation that the Bill be concurred in. Report adopted.

Committee on Capital and Labor reported House Bill No. 29, introduced by Mason, with the recommendation that the Bill be amended as follows: Amend Section 1 by striking out all of the Section after the word "Coal" in line 12, and that the Bill as so amended be concurred in. Report adopted.

Committee on Public Lands reported House Bill No. 72, introduced by Bernard, with the recommendation that the Bill be amended as follows: Amend the title by inserting before the word "driving" the word "malicious." Amend Section 1 by inserting in line 1, before the word "drive" the word "maliciously," and that the Bill as so amended be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 8, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day read first and second time, and referred as follows:

H. B. No. 166, introduced by Higgins, entitled, "An Act to amend Section 3454 of the Revised Codes of Montana, 1907, relating to elections and qualifications of voters." Referred to Committee on Elections and Privileges.

H. B. No. 161, introduced by Carll, entitled, "An Act providing for the levy of school district taxes in excess of ten mills, when authorized by a vote of the qualified electors of such district, who are tax paying freeholders therein." Referred to Committee on Taxation.

H. B. No. 148, introduced by Kemmis, entitled, "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 6 of Article XIII of the Constitution of the State of Montana relating to indebtedness of cities, towns, townships and school districts." Referred to Committee on Constitutional Amendments.

H. B. No. 143, introduced by Bent, entitled, "An Act to amend Section 8346, Revised Codes of 1907, concerning the desertion or abandonment of children and prescribing penalties." Referred to Committee on Public Morals.

H. B. No. 142, introduced by Morrow, entitled, "An Act to amend Section 2, Title IX, Penal Code, of the Revised Codes of the State of Montana, 1907, changing place of execution of the death penalty from the County in which defendant was sentenced to the State Penitentiary, and prescribing return of death warrant." Referred to Committee on Judiciary.

H. B. No. 138, introduced by Searles, entitled, "An Act to appropriate money for the maintenance, improvement and operation of the Fish Hatcheries of the State of Montana and for the expense of the Montana Fish Commission, and purchase of equipment." Referred to Committee on Finance and Claims.

H. B. No. 123, introduced by Henderson, entitled, "An Act establishing and defining the boundary line between Dawson County and Rosebud County, State of Montana." Referred to Committee on Counties and Towns.

H. B. No. 97, introduced by Holt, entitled, "An Act to amend Section 4076 of the Revised Codes of the State of Montana of 1907, relating to the incorporation of Mutual Hail Insurance of growing crops against loss or damage by hail and farm improvements by fire." Referred to Committee on Insurance.

H. B. No. 89, introduced by Dodds, entitled, "An Act to provide ways and means of compelling support of a wife, child or children, ward or wards, by the husband, parent or guardian, and providing penalties for failure to so provide, and repealing Section 8345 of the Revised Codes of Montana of 1907." Referred to Committee on Public Morals.

H. B. No. 86, introduced by Working, entitled, "An Act to amend Section 3169 of the Revised Codes of Montana of 1907, relating to the fees of the Clerk of the District Court." Referred to Committee on Judiciary.

H. B. No. 76, by O'Brien, entitled, "An Act to extend and define the boundaries of Silver Bow County, and to alter the boundaries of Deer Lodge County to conform thereto." Referred to Committee on Counties and Towns.

H. B. No. 82, by Rainey, entitled, "An Act to amend Section 7731 of the Revised Codes of 1907 of the State of Montana relating to the payment of inheritance tax to County Treasurers and receipts." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 8, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 142, by Gnose, substitute for S. B. No. 100 and

S. B. No. 125, relating to the Fish and Game Laws.

S. B. No. 143, Roberts, "An Act to appropriate money to establish and maintain normal training courses and junior college courses in High Schools: to provide for the apportionment of said money and to authorize the issuance of teachers' certificates to graduates of such normal training courses in High Schools." Referred to Committee on Finance and Claims.



S. B. No. 144, Roberts, "An Act to provide for teacher training in accredited High Schools and to license the graduate thereof to teach under certain conditions." Referred to Committee on Education.

S. B. No. 145, Brower, "A Bill for an Act to prevent the adulteration of and deception in the sale of white lead and mixed paints." Referred to Committee on Counties and Towns.

S. B. No. 147, Gnose and Williams, "An Act providing that the name of any county within this State may be changed, and providing a method whereby such change may be accomplished." Referred to Committee on Counties and Towns.

S. B. No. 148, Edwards, "An Act to authorize the Attorney General to designate an Assistant Attorney General who shall have authority to do and perform certain matters and things required or which may be done by the Attorney General." Referred to Committee on Judiciary.

S. B. No. 149, Morris, "An Act to amend Section 5, of Chapter 67, Laws of the Thirteenth Legislative Assembly, and to make definite the number and personnel of the local executive board of the Northern Montana Agricultural and Manual Training School, and to define the powers of said local board." Referred to Committee on Education.

S. B. No. 150, Kinney, "An Act to amend Section 1 of Chapter 8 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to unfair competition and discrimination, and providing a penalty for the infraction thereof." Referred to Committee on Judiciary.

S. B. No. 151, Willett, "An Act to submit to the qualified electors of the State of Montana, an amendment to Section 5 of Article V of the Constitution of the State of Montana, relating to the holding of Sessions of the Legislative Assembly." Referred to Committee on Constitutional Amendments.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 8th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 67, introduced by Wheat, having been read three several times, and passed, title agreed to, concurred in, and same is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 8, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day read three several times and passed, title agreed to, and are herewith transmitted to your Honorable Body for concurrence:

- S. B. No. 6, by Lane.
- S. B. No. 10, by Annin.
- S. B. No. 19, by Burlingame.
- S. B. No. 63, by Dwight.
- S. B. No. 64, by Dwight.
- S. B. No. 73, by Burla.
- S. B. No. 85, by Smith.
- S. B. No. 88, by Gallwey.
- S. B. No. 92, by Jones.
- S. B. No. 104, by Gallwey.
- S. B. No. 114, by Slayton.
- S. B. No. 95, by Slayton.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 8th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following Bills:

- H. B. No. 71, introduced by Bent.
- H. B. No. 62, introduced by Murray.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 8, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion, duly adopted, House Bill No. 128, was this day re-referred to Committee on Stock, Growing and Grazing.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 8, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill No. 146, was this day introduced by Lane:

S. B. No. 146, Lane, a Bill for an Act entitled, "An Act to amend Section 8267 of the Revised Codes of the State of Montana relating to barratry." Referred to Committee on Judiciary.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 9, 1917.

(Afternoon Session.)

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills having been read three several times, and concurred in, title agreed to, are herewith returned:

H. B. No. 4, introduced by Murray.

H. B. No. 87, introduced by Belden.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Mason, House reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom has been referred House Bills Nos. 165, 211, 209, 208, 194, 217, 90, 198 and 186, beg leave to report that we have received same correctly printed.

Report adopted and Bills placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 255, by Dodds, a Bill for an Act entitled, "An Act to amend Section 302, subdivision 19 of Chapter 76 of the Session Laws of 1913, relating to the appointment of clerk and adding subdivision 20, relating to the appointment of a deputy county superintendent," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 253 by Farmer, a Bill for an Act entitled, "An Act providing that in an action to recover damages for injury to the person, the court or judge may order a physical examination of the injured person by competent physicians or surgeons who may testify as witnesses in such action," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 190, by Carll, a Bill for an Act entitled, "An Act to amend subdivision 2 (a) and 2 (b) of Section 502, Chapter 76 of the Session Laws of Montana of 1913, providing how candidates for the office of trustee of school districts may be nominated and repealing Subdivision 2(a) of Section 502, Chapter 76, of the Session Laws of Montana of 1913," respectfully beg leave to report as follows: That substitute Bill submitted in lieu of H. B. 190, be reported back to the House with the recommendation that it do pass.

Report adopted and Bill placed on First and Second reading.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 252, by Rainey, a Bill for an Act entitled, "An Act to repeal Section 4198 of the Revised Codes of Montana, 1907, relating to the taxa-

tion of property of building and loan associations, and all Acts amendatory thereof," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 252, by Rainey, a Bill for an Act entitled, "An Act to repeal Section 4198 of the Revised Codes of Montana, 1907, relating to the taxation of property of building and loan associations, and all Acts amendatory thereof," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 259, by Committee on Appropriations, a Bill for an Act entitled, "An Act appropriating money from the Bounty fund for the payment of certain bounty claims which were disallowed by the State Board of Examiners owing to technical errors in proofs," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 73, by Husser, a Bill for an Act entitled, "An Act providing for the redemption of property sold under mortgage foreclosure proceedings, or under a power of sale conferred in a mortgage, deed, deed of trust, or other conveyance of real property, executed to secure a debt or other obligation, and to add a section to Chapter 1, part 2, title IX of the Revised Codes of Montana, 1907, to be known as Section 6864 A," respectfully beg leave to report as follows: That it be amended by striking from the title the words "And to add a Section to Chapter 1, Paragraph 2, Title 9 of the Revised Codes of Montana, 1907, to be known as Section 6864 A," and inserting in line 3, page 2 of the original Bill after the words "entitled to a" the phrase "certificate of redemption or to a"; also by inserting in line 4, page 2 of the original Bill, after the word "such" the words "certificate or"; also by adding at the end of Section 2, the following: "Providing, however, that the provisions of this Act shall not apply to a mortgage, deed, deed of trust, or other conveyance executed and delivered prior to the approval of this Act," and that as amended, it be reported back to the House with the recommendation that it do pass, as amended.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 270, by Anderson, a Bill for an Act entitled, "An Act to amend Section 2 of Chapter 25 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, "An Act to secure for threshermen a lien upon grain and other crops threshed by them for their compensation, and to provide for the filing and foreclosure of said liens," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 250, by Mason, a Bill for an Act entitled, "An Act requiring the publication in official county papers of the lists of the adulterated and misbranded foods, beverages, candies, drugs and other preparations and products as reported by the State Board of Health," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass as amended, to-wit: That the words "County Auditor" be stricken out wherever same appear in said Bill, and the words "County Clerk" be inserted in lieu thereof. Also in Section 1, line 21, of the Bill, after the word "county" the words "where misbranded foods is found" be inserted.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consider-



ation House Bill No. 261, by Eaton, a Bill for an Act entitled, "An Act defining how mileage shall be computed," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 260, by Prosser, a Bill for an Act entitled, "An Act to abolish exemptions from attachments and executions in connections with contracts for common necessities of life," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 177, by Harbert, a Bill for an Act entitled, "An Act providing for the leasing and granting of easements on and rights of way over lands owned by the State of Montana lying between low and high water mark of any navigable lake and repealing Chapter 124 of the Session Laws of the Twelfth Legislative Assembly," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 269, by Deibel, a Bill for an Act entitled, "An Act to amend Section 435 of the Revised Codes of the State of Montana of 1907, relating to payment of salaries of officers," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 267, by Stimpert, a Bill for an Act entitled, "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section 4 of Article XVI of the Constitution relating to County Commissioners," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 266, by Farmer, a Bill for an Act entitled, "An Act to repeal Chapter 81 of the Thirteenth Legislative Session, an Act providing that no license be required for moving picture shows in places having a population not exceeding one thousand five hundred," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 264, by Judiciary Committee, a Bill for an Act entitled, "An Act concerning the examination and admission of attorneys and counsellors at law to practice law in this State, and concerning the trial and conduct of proceedings in actions for the suspension or the disbarment from practice of such attorneys and counsellors; providing an annual license tax to be paid by all practicing attorneys and counsellors in this State and methods of collecting the same, and penalties for violation of any provision of this Act; providing for the disposition and expenditure of all moneys collected under the provisions of this Act," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 254, by Farmer, a Bill for an Act entitled, "An Act to amend Section 9006 (1545) Revised Codes of Montana, 1907, relating to the removal of public officers by summary proceedings, by adding to such section a provision



conferring certain powers upon the governor in relation thereto," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows.

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 219, by McDonald, a Bill for an Act entitled, "An Act to create the Eighteenth Judicial District of the State of Montana, to be composed of the counties of Teton and Toole; to change the boundaries of the Eighth Judicial District of the said State of Montana to conform thereto; and to provide for the appointment, powers, duties, term and compensation of the judges of the Eighteenth Judicial District," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 274, by Ironsides, a Bill for an Act entitled, "An Act to encourage patriotism and to cause those who would enjoy the pursuit of happiness and acquire prosperity in Montana to first manifest their intention to become citizens of the United States, and to that end prevent those who will not do so from seeking or accepting employment in Montana, and to prevent the people of Montana from hiring such persons and to punish violations of this Act," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Connolly from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 67, introduced by Wheat, beg leave to report same back as correctly enrolled. Report adopted.

Searles: I move that on Third reading of Bills, Bills be read by title only, with exception of Appropriation Bills.

Murray: As a substitute, I move that the House pass Third reading of Bills and resolve itself into a Committee of the Whole for the consideration of General Orders. Substitute motion carried.

### GENERAL ORDERS.

Blake in the chair.

House resumed.

Speaker pro tem in the chair.

Blake from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole having had under consideration H. B. No. 197, by Hathaway, entitled, "An Act to amend Section 8381 of the Revised Codes of Montana of 1907, relating to penalty for selling cigarettes to minors, and adding a new section providing for a penalty for the use of cigarettes, cigars or tobacco by minors," report same back to the House with the recommendation that it be indefinitely postponed.

Also, having had under consideration S. B. No. 8, by Oliver, entitled, "An Act to amend Section 10 of Chapter 122 of the Session Laws of the Fourteenth Legislative Assembly, relating to the registration of electors," report same back to the House with the recommendation that same be amended by inserting in line 4, after the word "electors" the words "residing more than ten miles from the County court house," and that, as amended, Bill be concurred in.

Also, having had under consideration H. B. No. 6, by Page, entitled "An Act to provide for the payment of wages of employees and to provide penalties for violation thereof," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 149, by Baldwin, entitled, "An Act to amend Chapter 17 of the Revised Codes of Montana, 1907, relating to toll for grinding grain; amending Sections 2092, 2093 and 2094 of the Revised Codes of Montana, 1907, relating to the duties of persons engaged in operating flouring mills, conferring upon the public service commission certain powers and duties, and providing penalties for the violation of the provisions hereof," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 196, by Judiciary Committee, entitled, "An Act amending Section 6784 of the Revised Codes of Montana of 1907, as amended by Chapter 135 of the Session Laws of 1915, and relating to exceptions," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 196, by Judiciary Committee, entitled, "An Act amending Section 6784 of the Revised Codes of Montana of 1907, as amended by Chapter 135 of the Session Laws of 1915, and relating to exceptions," report same back to the House with the recommendation that it do pass. Report adopted.

On motion of Searles, House reverted to Second Order of Business.

By Lewis: "An Act to provide for the employment of a special agent by the Attorney General, defining his powers and duties, fixing his compensation, and making an appropriation for the payment thereof."

By Mason: "An Act relating to the State Board of Equalization, defining its powers and prescribing its duties, and repealing Sections 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591 and 2592 of the Revised Codes of Montana of 1907, relating to the State Board of Equalization."

By Kemmis: "An Act to provide for the enumeration of the inhabitants of this State of Montana in pursuance of the requirements of the Constitution of the State for such an enumeration in the year 1917, and another in the year of 1925, and on every tenth year thereafter, and making an appropriation for the enumeration to be held in the year 1917."

By Kemmis: "An Act making all places where intoxicating liquors are manufactured, sold or given away in violation of the law, a common nuisance, and providing for the punishment for maintaining of the same."

By Phelps: "An Act to prohibit the sale of intoxicating liquors in territory not embraced within the limits of incorporated cities or towns, except in saloons located in health resorts or in towns where there is at the time of the passage of this Bill a regularly salaried deputy sheriff, providing for the enforcement thereof, prohibiting the issuance of licenses therefor and prescribing penalties for its violation."

By Demel and Carll: "An Act to amend Section 1739 of the Revised Codes of the State of Montana, 1907, relating to the hours of labor for municipalities, mines, mills, smelters, and factories in which sugar is manufactured."

By Kemmis: "An Act to provide for an apportionment of membership and representation of the several counties of Montana in the House of Representatives of the Legislative Assembly of Montana; and to fix the number of members thereof."

By McMillan: "An Act making it an offense for any executive, legislative, judicial, ministerial, or other officer of this State, or any District, County, City or other political sub-division of the State to appoint or vote for the appointment of any person related to him by affinity or consanguinity within the third degree, to any clerkship, office, position, employment or duty in any department or office of the State, or of any District, County, City or other political subdivision of the State of which the person making or participating in the appointment may be an officer or employee, or to appoint any person so related to any other such office in consideration of the agreement or promise of such other officer to appoint any person so related to the officer making such appointment; prohibiting the payment of any public funds to any such ineligible person out of any public funds and providing for suitable punishment and removal from office for the violation of this Act."

By Searles: "An Act to provide for the segregation of common prostitutes and women of ill fame within certain boundaries, and providing a penalty for not conforming thereto; and providing a penalty for taking any female thereto who is not a common prostitute or woman of ill fame; and providing a method of police control of such persons; and repealing Sections 8376, 8397, 8398 and subdivisions 5 and 6 of Section 8828 of the Revised Codes of Montana, 1907."

By Blake: "An Act to promote the unity and to increase the effectiveness of the State Educational system of Montana by authorizing the University of Montana convocation, and to provide for the conduct of the same."

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrolling, beg leave to report that the following Bill has been delivered to His Excellency, the Governor: February 9, 1917, at 2:20 P. M., House Bill No. 17.

Higgins gave notice that he would on tomorrow make a motion to have Bills on Third reading read by title only, with the exception of appropriation Bills.

On motion of Lusk, House adjourned until 10:00 A. M., Saturday, February 10, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## FORTY-FIRST DAY

Saturday, February 10, 1917.

House met at 10:00 A. M., pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by Chaplain.

Roll called. All members present. White and Rainey excused. Demel excused from morning session.

Blodgett, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the Fortieth day and find the same to be correct. Report adopted.

### COMMUNICATIONS AND PETITIONS.

A communication was received from S. L. Beckwith, Secretary for Electrical Workers Union No. 185, asking the support of the members of the House in behalf of House Bill No. 199.

### NOTICES OF BILLS.

By Murray: "An Act providing qualification for conductors and flagmen, who shall be hereafter employed to work in the train service of any railroad or railway company, operating in whole or in part in the State of Montana."

By Holt: "An Act to amend Section 1, Chapter 83 of the Session Laws of the Fourteenth Legislative Assembly, entitled, "An Act permitting stockholders of co-operative associations to vote by mail, and providing for the declaring of dividends and distribution of net earnings and extending the provisions of this Act to co-operative associations heretofore incorporated."

By Prosser: An Act entitled, "An Act relating to the powers and duties of constables and fixing their compensation."

By Blodgett: An Act defining unlawful detainer.

By Kelsey: "An Act to amend Section 1 of Chapter 131 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, "An Act to protect the owners of cattle and to cause the inspection of the same before their removal from one county to another within the State of Montana."

By Wheat: "An Act to fix the salary of the janitors of the State Capitol building."

By Wheat: "An Act to appropriate Fifteen Hundred Dollars to erect a monument marking the site of the discovery of gold in Alder gulch, Madison County, and to commemorate that event and the discoverers."

By Ball: "An Act creating and providing for county athletic commissions in counties of the first class and regulating boxing and sparring contests in counties of the first class in the State of Montana."

By McClory: "An Act to provide for the construction of side tracks and spurs to elevators, warehouses, flouring mills, storage buildings or manufacturing plants and to provide for the location upon the right of way of any railway company of any elevators, warehouses, flouring mills, storage buildings, or manufacturing plants and to provide for the construction of side tracks between stations and fixing the penalty for the violation of the provisions of this Act and repealing



Section 7 of Chapter 43 of the Laws of the Thirteenth Legislative Assembly of the State of Montana."

### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 299, introduced by Buell of Missoula: A Bill for an Act entitled, "An Act prohibiting untrue, deceptive and misleading assertions, representation or statements of fact in advertisements within the State of Montana, and providing a penalty for the violation thereof." Read first and second time and referred to Judiciary Committee.

H. B. No. 300, introduced by Johnson: A Bill for an Act entitled, "An Act providing for the regulation of the business of using, operating and driving automobiles, auto stages, motor vehicles or motor busses for hire as common carriers on the public highways of the State; prescribing terms, conditions and restrictions of the use of the same; providing for licenses to carry on such business and the regulation thereof, making the violation of any of the provisions of this Act a misdemeanor and providing a penalty therefor, and repealing all Acts or parts of Acts in conflict herewith insofar as the same may be in conflict." Read first and second time and referred to Committee on Highways.

H. B. No. 301, introduced by Phelps: A Bill for an Act entitled, "An Act to prohibit the sale of intoxicating liquors in territory not embraced within the limits of incorporated cities or towns, except in saloons located in health resorts or in towns where there is at the time of the passage of this Bill a regularly salaried deputy sheriff, providing for the enforcement thereof, prohibiting the issuance of licenses therefor and prescribing penalties for its violation." Read first and second time and referred to Committee on Public Morals.

H. B. No. 302, introduced by Lewis: A Bill for an Act entitled, "An Act to provide for the creation of a Board of Library examiners, prescribing the duties of said board and making an appropriation for the maintenance thereof." Read first and second time at length and referred to Committee on Libraries.

H. B. No. 303, introduced by Hawks: A Bill for an Act entitled, "An Act establishing and defining definitely the boundary line between Wibaux and Dawson counties, Montana." Read first and second time and referred to Committee on New Counties and Divisions.

H. B. No. 304, introduced by Bernard and Dodds: A Bill for an Act entitled, "An Act to define the duties of the County Surveyor." Read first and second time and referred to Judiciary Committee.

Substitute H. B. No. 190, introduced by Judiciary Committee: A Bill for an Act entitled, "An Act to amend subdivision 2(a) of the Session Laws of Montana of 1914, providing how candidates for the office of trustee of school districts may be nominated, and repealing subdivision 3(a) of Section 502, of Chapter 76, of the Session Laws of Montana of 1913." Read first and second time and referred to Committee on Education.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, February 9, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Dwight: "An Act to amend Section 1605 of the Revised Codes of Montana of 1907, relating to the practice of osteopathy and defining what evidence shall be deemed sufficient to constitute the practice of osteopathy."

By Stevens: "An Act relating to special improvements in districts in thickly populated localities outside of the limits of incorporated towns and cities, and to empower the Board of County Commissioners to create special improvement districts in such localities for the purpose of constructing sanitary and storm sewers and installing lights, water works and such other special improvements as may be petitioned for by sixty per cent of the freeholders affected by the same, and providing for the levy and payment of installments over any period not exceeding eight years, and to provide for the issuance of special improvement warrants or bonds in such special improvement district."



By Kane and Hogan: "An Act to further provide for the creation, organization, government and extension of irrigation districts; to permit of converting private irrigation projects into public corporations under the irrigation district laws; to amend and re-enact Sections 1, 4 and 35 of Chapter 146, Session Laws of Montana, 1909, and Sections 9 and 40 thereof as amended by Chapter 145 of the Session Laws of Montana, 1915."

By Clay: "An Act amending Section 9535, authorizing County Attorneys to dismiss cases in courts."

By Clay: "An Act to amend Section 9589 of the Revised Codes of Montana, relating to changes of venue in justice court."

By Clay: "An Act providing that a person who shall cut a brand from a hide or mutilate the same or who possesses or conceals a hide so cut, to prevent the identification of the hide, is guilty of a felony and prescribing punishment therefor."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 9, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measure was this day reported from the Standing Committee with the following recommendation:

H. B. No. 36, by Harbert, with the recommendation that it be not concurred in. Report adopted. Bill is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 9th, 1917.

(Afternoon Session.)

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Notices of Bills were this day given:

By Featherly: "An Act to change the boundaries of Beaverhead and Madison Counties, Montana, and take a certain part of Madison County therefrom and add the same to Beaverhead County."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 9, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day reported from Standing Committees with recommendations:

Committee on Counties and Towns, Senate Bill No. 145, by Brower, recommended for indefinite postponement.

Also S. B. No. 147, by Williams and Gnose, with recommendation that same be amended and as amended do pass.

Committee on Engrossed Bills, reported Senate Bill No. 135, as correctly engrossed.

Committee on Printing reported S. B. No. 139 and No. 93 correctly printed.

Committee on Enrollment reported S. B. No. 60 and S. B. No. 3, correctly enrolled.

Committee on Federal Relations reported House Joint Memorial No. 5, by Hathaway, with the recommendation that the Memorial be concurred in.

Committee on Judiciary reported S. B. No. 141, by Edwards, with the recommendation that same do pass.

Committee on Primary Law reported S. B. No. 62 by McCone for passage.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 9, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day reported from the Standing Committees with the recommendation that same be concurred in:

H. B. No. 109, by Demel.

H. B. No. 127, by Buell of Missoula.

H. B. No. 63, by Hathaway.

H. B. No. 123, by Henderson.

H. B. No. 42, by McQuarrie.

H. B. No. 113, by Ward.

H. B. No. 23, by Johnston of Ravalli and Cotter.

H. B. No. 76, by O'Brien.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 9, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day reported from Standing Committees with recommendations:

Committee on Engrossed Bills reported Senate Bill No. 132, correctly engrossed. Report adopted.

Committee on Stock Growing and Grazing reported Senate Bill No. 19, introduced by Heron, with the recommendation that the following substitute Bill entitled, "An Act to define the duties of persons slaughtering cattle and to repeal Sections 1794, 1795, 8859 and 8862 of the Revised Codes of Montana, 1907," be submitted and recommending that the substitute Bill do pass. Report adopted.

Committee on Stock Growing and Grazing reported S. B. No. 87, introduced by Heron, relating to stallions, with the recommendation that the Bill be amended, and that as amended do pass. Report adopted.

Committee on Sanitary Affairs reported Senate Bill No. 97, introduced by Jones, relating to medicine; with the recommendation that the Bill do pass. Report adopted.

Committee on Stock Growing and Grazing reported Senate Bill No. 56, introduced by Williams, relating to bulls, with the recommendation that a substitute Bill be amended, entitled, "An Act regulating the running at large of bulls on public ranges or national forest reserves in the State of Montana, and providing penalties," with the recommendation that the substitute Bill do pass.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 9, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported from Standing Committees with recommendations:

H. B. No. 98, introduced by Carl, relating to optometry, with the recommendation that same be not concurred in.

H. B. No. 103, introduced by Husser, with the recommendation that the same be not concurred in.

H. B. No. 112, introduced by Husser, relating to ophthalmia neonatorum, with the recommendation that the same be amended as follows:

Amend Section 1 by striking out all of the Section after the word "Neonatorum" in line 14, and that the Bill as so amended be recommended for passage.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 9th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 152, introduced by Ellingson and Oliver: "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section Four of Article XVI of the Constitution, relating to County Commissioners." Referred to Committee on Constitutional Amendments.

S. B. No. 153, introduced by Larson by request, "An Act to provide for the construction of commercial or industrial spurs from railroads and to give the Board of Railroad Commissioners of the State of Montana power and authority with reference thereto." Referred to Committee on Railroads.

S. B. No. 154, introduced by Edwards, "An Act to repeal Sections 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624 and 625 of the Revised Codes of the State of Montana for 1907, and Chapter 99 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, relating to elections and voting where voting machines are used." Referred to Committee on Elections and Privileges.

S. B. No. 155, introduced by Burla, "An Act providing for the appointment of an expert to make general survey to determine the condition of the feeble-minded, deaf, dumb and blind in Montana, and making an appropriation to carry out the provisions of this Act." Referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 9, 1917.

(Afternoon Session.)

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills having this day been read three several times, titles agreed to, and concurred in as amended are herewith returned to your Honorable Body for concurrence in Senate amendments:

H. B. No. 72, introduced by Bernard.

H. B. No. 29, introduced by Mason.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 9, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills having this day been read three several times and passed, titles agreed to, are herewith transmitted to your Honorable Body for concurrence:

S. B. No. 135, introduced by Morris.

S. B. No. 132, introduced by Joint Stock Committee.

S. B. No. 83, introduced by Edwards.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 9th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed House Bill No. 17, introduced by Working.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 9th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following Bills:

S. B. No. 3, introduced by Brower.

S. B. No. 60, introduced by Burla.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 9, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. B. No. 107, introduced by Whiteside, entitled, "An Act to amend Chapter 68 of the Session Laws of the Fourteenth Legislative Assembly, fixing the hours during which saloons and places where intoxicating liquors are sold, may remain open and prescribing penalties for violations of said Act," was this day reported from the Standing Committee with the recommendation that it be indefinitely postponed. Report not adopted and on roll call same was recommended for passage.

Respectfully,

J. F. CONE, Secretary of the Senate.

There being no objection, Speaker reverted to Fifth Order of Business.

#### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 305, introduced by Committee on Affairs of Cities: A Bill for an Act entitled, "An Act relating to the regulating common carriers of passengers upon public streets, roads and highways, providing for the issuance of permits, and prescribing penalties for violation." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 306, introduced by Grimes: A Bill for an Act entitled, "An Act making an appropriation for the purpose of defraying the expenses of making motion picture films of the members of the Senate, House of Representatives and attaches of the Fifteenth Legislative Assembly, and officials and employees of the

Executive Departments of the State of Montana." Read first and second time at length and referred to Appropriation Committee.

H. B. No. 307, introduced by Prosser: A Bill for an Act entitled, "An Act establishing a uniform tax on certain classes of personal property; providing for the manner of listing such personal property; providing the time within which such listing shall be filed with the County Assessor; providing for the manner of filing said listing; providing for the filing of such listing by the Assessor on default of the property owner and providing a penalty therefor. Providing for the entry of the assessment and the review thereof by the Board of Equalization and providing for the computation of said taxes and providing for the manner of the collection of said taxes and the distribution thereof." Read first and second time and referred to Judiciary Committee.

H. B. No. 308, introduced by Ashby: A Bill for an Act entitled, "An Act appropriating money for the maintenance of the State Board of Poultry Husbandry for the two years commencing March 1, 1917, and ending February 28, 1919." Read first and second time at length and referred to Appropriations Committee.

### READING OF SENATE BILLS.

S. B. No. 83, read first and second time and referred to Committee on Appropriations.

S. B. No. 132, read first and second time, and referred to Committee on Agriculture.

S. B. No. 135, read first and second time, and referred to Committee on Judiciary.

Husser was granted unanimous consent to revert to Fourth Order of Business.

### REPORTS OF STANDING COMMITTEES.

Husser, from the Committee on Public Health, reported as follows:

Mr. Speaker: We, your Committee on Public Health, having had under consideration House Bill No. 256, introduced by Spain, being a Bill for an Act entitled, "An Act to regulate the sale and distribution of tuberculin," respectfully beg leave to report as follows:

To amend line 8 by inserting after the word "tuberculin" the words "for animal use." Also in line 13, after the word "tuberculin" the words "for animal use." We hereby recommend that the same do pass as amended.

Report adopted and Bill referred to Printing Committee.

Husser, from the Committee on Public Health, reported as follows:

Mr. Speaker: We, your Committee on Public Health, having had under consideration House Bill No. 236, introduced by Husser, being a Bill for an Act entitled, "An Act to amend Sections 7, 10 and 11, Chapter 130, Session Laws of 1911, relating to the sanitary condition of bakeries, confectionery shops, canneries, packing houses, slaughter houses, restaurants, noodle parlors, dining cars, lunch wagons or lunch counters; the method of procedure in condemning diseased meats; the issuing of licenses by the State Board of Health; and providing for inspection of such places of business," respectfully beg leave to report as follows:

A general amendment wherever the words "the Secretary of the State Board of Health" may appear, to change same to read "State Board of Health." We recommend that the same do pass, as amended.

Report adopted and Bill referred to Printing Committee.

Husser, from the Committee on Public Health, reported as follows:

Mr. Speaker: We, your Committee on Public Health, having had under consideration House Bill No. 273, introduced by McQuarrie, being a Bill for an Act entitled, "An Act to prevent the adulteration of linseed or flaxseed oil, to prevent deception in the sale thereof, and to provide for the punishment of such adulteration and deception," respectfully beg leave to report with the recommendation that same do pass.

Report adopted and Bill referred to Printing Committee.

Husser, from the Committee on Public Health, reported as follows:

Mr. Speaker: We, your Committee on Public Health, having had under consideration House Bill No. 233, introduced by Husser, being a Bill for an Act entitled, "An Act giving to the State Board of Health power to require the analysis



of waters furnished and sold to the public, and to provide rules and regulations for said analysis, and for the collection of samples of water, and to provide funds to cover the cost involved and to prescribe penalties for the violation of said rules and regulations." To strike out all the rest of Section 2, and insert in lieu thereof the following:

The State Board of Health Maintenance fund and as much as is necessary of this fund shall be used for the State Board of Health Water and Sewerage laboratory, and the State Auditor shall draw his warrant for claim against this fund after such claims have been approved by the State Board of Examiners, provided, however, that this fund shall not be expended except after due appropriation.

We hereby recommend that same do pass, as amended.

Report adopted and Bill referred to Printing Committee.

Mr. Speaker notified the House that he was about to sign H. B. No. 67, and signed same in the presence of the House.

### THIRD READING OF SENATE BILLS.

Substitute Senate Bill No. 41, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Connolly, Cotter, Crismas, Crowley, Cutts, Deibel, Dodds, Duffy, Eaton, Fishbaugh, Griffin, Grimes, Gullidge, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lewis, Lusk, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Scott, Searles, Shaw, Stimpert, Weil, Working, Mr. Speaker—70.

Noes: Sand—1.

Absent and not voting: Andrew, Baxter, Belden, Blodgett, Clark, Davis, Demel, Eliel, Farmer, Fuller, Gould, Harbert, Henderson, Kemms, Lemmon, McClory, McDonald, McMahon, Rasmussen, Sektnan, Spain, Ward, Wheat, White—24.

Title agreed to and Bill returned to Senate.

Senate Bill No. 27, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Connolly, Cotter, Crismas, Crowley, Cutts, Deibel, Dodds, Duffy, Eaton, Fishbaugh, Griffin, Grimes, Gullidge, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Sektnan, Shaw, Stimpert, Weil, Working, Mr. Speaker—68.

Noes: Scott—1.

Absent and not voting: Baxter, Belden, Bernard, Blodgett, Clark, Davis, Demel, Eliel, Farmer, Fuller, Gould, Harbert, Harmon, Henderson, Hurd, Jones, McClory, McDonald, McMahon, Morris, Rasmussen, Searles, Spain, Ward, Wheat, White—26.

Title agreed to and Bill returned to Senate.

Higgins: I move to pass the Third reading of S. B. No. 50, for the time being. Motion carried.

S. B. No. 65, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andred, Arneson, Ashby, Baldwin, Ball, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMillan,

McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Kelsey, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Sektnan, Shaw, Stimpert, Ward, Weil, Working, Mr. Speaker—78.

Noes: None.

Absent and not voting: Baxter, Belden; Blodgett, Clark, Demel, Farmer, Fuller, Gould, Henderson, McClory, McDonald, McMahon, Rasmussen, Searles, Spain, Wheat, White—17.

Title agreed to and Bill returned to Senate.

Blake: I move that the explanation of votes be limited to one-half minute. Motion carried.

S. B. No. 31, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henry, Higgins, Holt, Hurd, Husser, Ingalls, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Working, Mr. Speaker—76.

Noes: Jensen—1.

Absent and not voting: Baxter, Belden, Bent, Blodgett, Clark, Demel, Gould, Harmon, Henderson, Huffaker, McClory, McDonald, McMahon, Mason, Rasmussen, Spain, Wheat, White—18.

Title agreed to and Bill returned to Senate.

S. J. R. No. 3, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Working, Mr. Speaker—79.

Noes: None.

Absent and not voting: Baxter, Belden, Buell of Gallatin, Clark, Demel, Gould, Harmon, Henderson, McClory, McDonald, McMahon, Murray, Rasmussen, Spain, Wheat, White—16.

Title agreed to and Resolution returned to Senate.

S. B. No. 8, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Hathaway, Hawks, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Page, Prosser, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Ward, Weil, Working, Mr. Speaker—69.

Noes: Farmer, Holt, Jensen, Murray, Phelps, Stimpert—6.

Absent and not voting: Baxter, Belden, Blodgett, Buell of Gallatin, Clark, Demel, Gould, Harbert, Harmon, Henderson, Lanstrum, McClory, McDonald, McMahon, McMillan, Quaintance, Rasmussen, Spain, Wheat, White—20.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

## THIRD READING OF HOUSE BILLS.

H. B. No. 38, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McQuarrie, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektan, Shaw, Stimpert, Ward, Weil, Working, Mr. Speaker—75.

Noes: Jones—1.

Absent and not voting: Baxter, Belden, Blodgett, Buell of Gallatin, Clark, Demel, Gould, Harmon, Hathaway, Henderson, McClary, McMahon, McMillan, Mason, Middleton, Rasmussen, Spain, Wheat, White—19.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 81, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Bernard, Blake, Booth, Buell of Missoula, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMillan, McQuarrie, Mason, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektan, Shaw, Stimpert, Ward, Weil, Working, Mr. Speaker—77.

Noes: Ironside, Kelsey—2.

Absent and not voting: Baxter, Belden, Blodgett, Brooks, Buell of Gallatin, Clark, Demel, Gould, Harmon, McClory, McMahon, Middleton, Rasmussen, Spain, Wheat, White—16.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 95, having been read three several times, was lost by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Ball, Baxter, Bent, Blodgett, Booth, Buchanan, Carll, Connolly, Crowley, Deibel, Eaton, Fuller, Griffin, Harbert, Hathaway, Holt, Hurd, Ingalls, Jensen, Kehoe, McDonald, McMillan, Mason, Murray, Scott, Shaw, Stimpert, Working—32.

Noes: Anderson (Oscar W.), Baldwin, Bernard, Brooks, Buell of Missoula, Buell of Gallatin, Burnworth, Crismas, Davis, Dodds, Duffy, Eliel, Fishbaugh, Gullidge, Hawks, Henderson, Henry, Higgins, Huffaker, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McQuarrie, Middleton, Morris, Morrow, O'Brien, Page, Prosser, Quaintance, Sand, Scott, Searles, Weil, Mr. Speaker—44.

Absent and not voting: Belden, Blake, Clark, Connolly, Cutts, Demel, Farmer, Gould, Grimes, Harmon, Husser, McMahon, Phelps, Rainey, Rasmussen, Spain, Ward, Wheat, White—19.

H. B. No. 132, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harmon, Henderson, Henry, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Sand, Scott, Searles, Shaw, Weil, Working, Mr. Speaker—69.

Noes: None.



Absent and not voting: Anderson (Oscar W.), Arneson, Belden, Blake, Blodgett, Clark, Cutts, Demel, Dodds, Gould, Harbert, Hathaway, Hawks, Hurd, Jones, McMahon, Phelps, Quaintance, Rainey, Rasmussen, Sektnan, Spain, Stimpert, Ward, Wheat, White—26.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 152, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Baldwin, Ball, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crowley, Cutts, Davis, Deibel, Duffy, Eaton, Fishbaugh, Fuller, Griffin, Grimes, Gullidge Harbert, Harmon, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Ward, Wheat, Mr. Speaker—70.

Noes: Lanstrum—1.

Absent and not voting: Anderson (Oscar W.), Arneson, Baxter, Belden, Blake, Blodgett, Clark, Crismas, Demel, Dodds, Eliel, Farmer, Gould, Hathaway, Hawks, Henderson, McClory, McMahon, Phelps, Rainey, Stimpert, Weil, White, Working—24.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 153, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Baldwin, Ball, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, Working—76.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Arneson, Baxter, Belden, Blodgett, Burnworth, Carll, Clark, Cutts, Demel, Eliel, Grimes, Hathaway, Henderson, Phelps, Rainey, Ward, White; Mr. Speaker present but not voting—19.

Title agreed to and Bill transmitted to Senate for concurrence.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred H. B. No. 87 and H. B. No. 4, beg leave to report same back as correctly enrolled. Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 4 and 87, and signed same in the presence of the House.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, beg leave to report that the following Bill has been delivered to His Excellency, the Governor: February 10, 1917, at 10:50 A. M., House Bill No. 67. Report adopted.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 149 and 196, beg leave to report same back as correctly engrossed.

Report adopted and Bills placed on Third reading.

H. B. No. 174, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Connolly, Cotter, Crismas, Davis, Deibel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harmon, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMil-



lan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Sand, Scott, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, Mr. Speaker—77.

Noes: None.

Absent and not voting: Arneson, Blodgett, Burnworth, Clark, Crowley, Cutts, Demel, Eliel, Harbert, Hathaway, Johnson of Deer Lodge, Phelps, Rainey, Rasmussen, Searles, Spain, White, Working—18.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 175, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Cotter, Crismas, Davis, Deibel, Dodds, Duffy, Eaton, Farmer, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Holt, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, Mr. Speaker—74.

Noes: None.

Absent and not voting: Arneson, Blodgett, Brooks, Carll, Clark, Crowley, Cutts, Demel, Eliel, Fishbaugh, Henderson, Higgins, Ingalls, Lusk, McClory, Phelps, Rainey, Rasmussen, Spain, White, Working—21.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 176, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Ashby, Baldwin, Baxter, Belden, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Cotter, Crismas, Crowley, Davis, Deibel, Dodds, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Sand, Scott, Sektnan, Spain, Stimpert, Weil, Wheat, Working, Mr. Speaker—70.

Noes: Andrew, Ball, Duffy, Grimes, Hawks, Ironside, Lanstrum, O'Brien, Quaintance, Ward—10.

Absent and not voting: Arneson, Blodgett, Clark, Connolly, Cutts, Demel, Eliel, Ingalls, Phelps, Prosser, Rainey, Rasmussen, Searles, Shaw, White—15.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 182, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harmon, Hathaway, Henry, Higgins, Holt, Huffaker, Hurd, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larson, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Mr. Speaker—74.

Noes: Buell of Gallatin, Dodds, Hawks, Ingalls—4.

Absent and not voting: Arneson, Belden, Blodgett, Clark, Cutts, Demel, Eliel, Harbert, Henderson, Husser, Jensen, Phelps, Rainey, Rasmussen, Searles, White, Working—17.

Title agreed to and Bill transmitted to Senate for concurrence.

H. J. M. No. 1, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Cotter, Crismas, Crowley, Davis, Deibel,

Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working, Mr. Speaker—80.

Noes: McClory—1.

Absent and not voting: Andrew, Arneson, Blodgett, Clark, Connolly, Cutts, Demel, Higgins, Jensen, Phelps, Rainey, Rasmussen, Sand, White—14.

Title agreed to and memorial transmitted to Senate for concurrence.

On request of Page, a call of the House was had, and the following members were found to be absent: Arneson, Blodgett, Brooks, Clark, Cutts, Demel, Duffy, Fishbaugh, Rainey, Rasmussen and White. Blodgett, Brooks, Cutts, Duffy and Fishbaugh appearing on the floor of the House, call was suspended on motion of Page.

H. B. No. 6, having been read three several times, was lost by the following vote:

Ayes: Andersen (Charles), Andrew, Baxter, Bent, Bernard, Booth, Brooks, Carll, Cutts, Davis, Deibel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Gould, Griffin, Hathaway, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Johnson of Deer Lodge, Kehoe, Kelsey, Lanstrum, Larse, Mason, Morrow, Murray, Page, Quaintance, Sand, Searles, Sektan, Shaw, Ward, Mr. Speaker—42.

Noes: Anderson (Oscar W.), Ashby, Baldwin, Ball, Belden, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Cotter, Crismas, Crowley, Fuller, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Ironside, Johnston of Ravalli, Jones, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Middleton, Morris, O'Brien, Phelps, Prosser, Rasmussen, Scott, Spain, Stimpert, Weil, Wheat, Working—47.

Absent and not voting: Arneson, Clark, Demel, Jensen, Rainey, White—6.

Blake: I move that H. B. No. 195 be considered correctly engrossed and placed on Third reading. Motion carried.

H. B. No. 195, having been read three several times, passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, Page, Prosser, Quaintance, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working, Mr. Speaker—75.

Noes: Booth, Higgins, Kemmis—3.

Absent and not voting: Arneson, Clark, Demel, Dodds, Grimes, Harbert, Harmon, Jensen, Jones, McClory, McDonald, Morris, O'Brien, Phelps, Rainey, Rasmussen, White—17.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Lemmon, House recessed until 1:30 P. M.

#### AFTERNOON SESSION.

House reassembled at 1:30 P. M.

Mr. Speaker in the chair.

On motion of Farmer, House reverted to Fifth Order of Business.

#### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 309, introduced by Farmer: A Bill for an Act entitled "An Act to provide for the compilation and revision of the Codes and other laws of the State of Montana, providing for the appointment of a commission therefor, and providing for the publication of such codes and for the compensation of such

commission and to make an appropriation therefor." Read first and second time at length and referred to Judiciary Committee.

H. B. No. 310, introduced by Middleton: A Bill for an Act entitled, "An Act to create the County of Carter, designate its boundaries and provide for its organization and government, and to change the boundaries of Rosebud and Big Horn Counties to conform thereto." Read first and second time and referred to Committee on New counties and Divisions.

H. B. No. 311, introduced by Blake: A Bill for an Act entitled, "An Act to promote the unity and to increase the effectiveness of the State educational system of the State of Montana by authorizing the University of Montana convocation and to provide for the conduct of the same." Read first and second time and referred to Committee on Education.

H. B. No. 312, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act appropriating money for the deficiency claims of certain persons for services rendered, supplies furnished and fees erroneously paid, which claims were approved by the State Board of Examiners." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 313, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act providing for the payment of deficiency claims for account of requisitions." Read first and second time at length and referred to Appropriations Committee.

H. B. No. 314, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act providing for the payment of deficiency claims for account of public printing." Read first and second time at length and referred to Appropriations Committee.

H. B. No. 315, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act providing for the payment of deficiency claims for the transportation of prisoners." Read first and second time at length and referred to Appropriations Committee.

H. B. No. 316, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act providing for the payment of deficiency claims for account of expense of Judges." Read first and second time at length and referred to Appropriations Committee.

Jensen gave notice that had he been present when the roll was called on Third reading of H. B. No. 6 he would have voted aye.

On motion of Lusk, the Journal Clerk was instructed to enter said notice upon the Journal.

Kehoe: Inasmuch as this House yesterday voted to invite Mr. Richard J. Cooke to deliver his lecture "Our Nation Today and Her Foreign Relations" to this body in the House Chamber Monday evening, February 12th at 8 P. M., I move that the Speaker appoint a committee of two members to extend this invitation to Mr. Cooke and also invite His Excellency, the Governor, and the members of the Supreme Court and Honorable Senate to be present.

Motion carried and Mr. Speaker appointed Kehoe and Kemmis to act on the Committee.

On motion of Kehoe, House reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 16, introduced by Stimpert, entitled, "A Bill for an Act authorizing the State of Montana to become indebted in the sum of Two Hundred and Fifty Thousand Dollars (\$250,000) in excess of the constitutional limit and over and above any bonded indebtedness heretofore incurred and for which it is now obligated: providing for the issuance and sale of bonds in the name of the State to acquire funds for the purchasing or building of a terminal grain elevator with necessary equipment at Great Falls, Montana, to be owned, controlled and operated by the State and used for the storage and marketing of grain purchased in Montana; prescribing the form of such bonds; providing for the levying of a tax to pay the principal thereof and the interest accruing thereon; providing for the submission to the qualified voters at the next general election the



question of the issuance of bonds and prescribing the form of the ballots to be used and the duties of the State Board of Examiners relative to the issuance of such bonds and the duties of the Secretary of State relative to the submission of said question to the qualified electors," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that Section 4 be amended to read as follows, to-wit:

"Section 4. The State Board of Examiners shall make a charge of not more than one cent per bushel for grain stored in the Terminal Elevator and the money so received, after paying the expense of maintaining the terminal elevator shall be paid into the State treasury and credited to a separat fund designated as the 'Terminal Elevator fund,' and said fund shall be used exclusively for the payment of the interest and redemption of such terminal elevator bonds herein provided for. If the money so paid into the 'Terminal Elevator fund' is not sufficient to pay the semi-annual interest on the bonds and the redemption thereof, then and in that event there shall be levied annually not exceeding one-half ( $\frac{1}{2}$ ) of a mill on the dollar on all lands, agricultural in character, which said tax when collected by the County Treasurer shall be accounted for and paid over to the State Treasurer to be by the State Treasurer held in the 'Terminal Elevator fund,' which fund shall be used exclusively for the payment of the interst on such bonds and for the redemption thereof," and that as amended, Bill do pass.

Report adopted and Bill referred to Printing Committee.

Crismas, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 215, introduced by Higgins, being a Bill for an Act entitled, "An Act to equalize the opportunity for higher education to the youth of the State by authorizing the payment of traveling fare of students attending the institutions of the University of Montana, and making an appropriation therefor," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass, after being amended as follows:

Amend Section 1 of the Bill by striking out the following words in lines 17 and 18, "railway, stage or steamboat," and by inserting in lieu thereof after the words "Montana" in Section 1 in line 21, the following words "by the most direct route of travel."

Also amend Section 2 of said Bill by striking out all of said Section 2 after the numbers "1919" in line 28 thereof."

Report adopted and Bill referred to Printing Committee.

Crismas, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations to whom was referred House Bill No. 88, introduced by Ingalls, being a Bill for an Act entitled, "An Act to establish a State School for Girls, prescribing its objects and purposes, providing for its location site, buildings and improvements, maintenance and management, prescribing commitment thereto, appeals, commutations, paroles and discharges, laws for fugitives, aiding escapes and penalties therefor; providing for materials, supplies and appropriations for all said purposes, also for empowering the State Board of Land Commissioners to lease either land or buildings, or both for the same," beg leave to report that having had said Bill under consideration report same back to the House with the recommendation that it do not pass. Report not adopted. On motion, Bill ordered printed.

Crismas, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 232, introduced by Bernard, being a Bill for an Act entitled, "An Act to provide for teacher training in certain accredited High Schools, to license the graduates thereof to teach in the public schools of the State of Montana under certain conditions, and appropriating money therefor," after having had said Bill under consideration beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Crismas, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 167, introduced by Harmon, being a Bill for the purpose of commemorating the exploration of the Lewis and Clark expedition and to aid in the



erection of heroic bronze statues of Meriwether Lewis and William Clark at the Great Falls and at the Three Forks of the Missouri river, providing for the creation of the Lewis and Clark memorial commission and making appropriations therefor, after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Crismas, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 242, introduced by Belden, being a Bill for an Act entitled, "An Act to provide for the publication, preservation and distribution of the debates and proceedings of the 1889 Constitutional convention, and to appropriate money to pay therefor," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass, after being amended as follows:

Amend Section 4 by striking out the words "Eight thousand and five hundred dollars," in line 1 thereof, and inserting in lieu thereof the words "Five thousand dollars."

Report adopted and Bill referred to Printing Committee.

Crismas, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 244, introduced by Kemmis, being a Bill for an Act entitled, "An Act appropriating the sum of Five hundred seven dollars and thirty-three cents (\$507.33) to refund to certain retail liquor dealers in Richland County for unexpired portion of liquor license," after having had said Bill under consideration beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Crismas, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 200, introduced by Belden, being a Bill for an Act entitled, "An Act to provide for the creation of a commission on uniform State laws, the appointment of commissioners thereto and the payment of the expenses of such commissioners," after having said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass. Report adopted.

Crismas, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 147, introduced by McMahon, being a Bill for an Act entitled, "An Act to appropriate money for the construction of a building to be used for women and educational exhibits at the State fair and to provide for permanent plan for the development of said Fair," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it be indefinitely postponed. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 251, by Shaw, a Bill for an Act entitled, "An Act to amend Section 2957 of the Revised Codes of the State of Montana of 1907, as amended by Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly, relating to the enumeration of county officers and Section 3100 of the Revised Codes of the State of Montana of 1907, relating to the creation of the office of County Auditor within certain counties in the State of Montana," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Hathaway, from the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, report back that Committee substitute for House Bill No. 204 by Johnston of Ravalli and Morrow, be substituted for said House Bill No. 204, and that said substitute Bill do pass.

Report adopted and Bill placed on First and Second reading.

The special committee composed of Kehoe and Kemmis, reported as follows:

Mr. Speaker: We, your special committee named to invite His Excellency, the Governor, and his staff, the Honorable Supreme Court and the Honorable

Senate to be present at a lecture to be delivered in Chamber of the House by the Honorable Richard J. Cooke, Monday evening, February 12th, at 8 P. M. respectfully beg leave to report that we called on His Excellency the Governor, the Honorable Supreme Court and the Honorable Senate and carried out the instruction of the House in extending the invitation and receiving an acceptance thereof. Report adopted.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bills have been delivered to His Excellency, the Governor: February 10, 1917, at 2:15 P. M., House Bills Nos. 4 and 87.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 195, introduced by Brooks, beg leave to report same back as considered correctly engrossed by Committee of the Whole. Report adopted.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 247, 240 and 51, beg leave to report that same have been correctly printed.

Report adopted and Bills placed on General Orders.

On request of Wheat, House reverted to Second Order of Business.

### NOTICES OF BILLS.

By Larse: "A Bill for an Act to regulate the use of artesian wells, to prevent the waste of water flowing therefrom, and defining waste as used for the purpose of this Act, and to provide penalties for the violation of this Act."

By Ironside: "An Act to provide for the inspection of barber shops and hair dressing parlors and making it the duty of the State Board of Health to make rules and regulations in regard thereto and to cause inspection of said barber shops and hair dressing parlors."

By Harbert: "An Act creating the County of Lake, describing the boundaries thereof and providing a temporary county seat and naming the offices therein."

By Kemmis: "Resolution memorializing Congress for the passage of necessary legislation to authorize the Northern Pacific Railway Company to relinquish certain lands in the State of Montana in favor of bona fide settlers thereon and to select other lands in the State of Montana in lieu thereof."

Hathaway: I move a reconsideration of the action of the Committee of the Whole on H. B. No. 197, of yesterday.

Lusk: I move to lay the motion to reconsider upon the table.

Roll call demanded and motion to lay on table carried by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Baxter, Bernard, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Connolly, Davis, Deibel, Fishbaugh, Grimes, Henderson, Henry, Higgins, Huffaker, Hurd, Jensen, Johnson of Deer Lodge, Jones, Lanstrum, Lusk, McClory, McDonald, McMillan, McQuarrie, Middleton, Morris, O'Brien, Prosser, Quaintance, Scott, Searles, Shaw, Ward, Working—42.

Noes: Arneson, Ball, Bent, Blake, Blodgett, Buell of Gallatin, Cotter, Crismas, Crowley, Cutts, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Griffin, Guldige, Hathaway, Hawks, Holt, Husser, Ingalls, Ironside, Johnston of Ravalli, Kehoe, Kelsey, Larse, Lemmon, Lewis, Mason, Morrow, Murray, Page, Phelps, Sand, Sektnan, Stimpert, Weil, Wheat, Mr. Speaker—41.

Absent and not voting: Belden, Clark, Fuller, Gould, Harbert, Harmon, Kemmis, McMahon, Rainey, Rasmussen, Spain, White—12.

Jensen: I move that H. B. No. 51, be not placed on General Orders. Motion carried.

Eliel: I move that the House resolve itself into a Committee of the Whole House, that debate on any Bill be limited to ten minutes, debate on amendments to Bills or amendments to amendments be limited to five minutes for any amendment, and five minutes against any amendment, with privilege of five minutes debate to the proposer of any amendment to close the discussion on same.

## GENERAL ORDERS.

Eliel in the chair.

House resumed.

Mr. Speaker in the chair.

Eliel, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 107, by Morrow, entitled, "An Act to amend Section 3930 of the Civil Code of the State of Montana, 1907, relating to the investment of capital of trust companies," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 106, by Morrow, entitled, "An Act to amend Section 3951 of the Civil Code of the State of Montana, 1907, relating to the investment of capital by savings banks," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 168, by Baxter, entitled, "An Act to amend Section 50, of Chapter 89, Session Laws of 1915, being an Act entitled an Act regulating the business of banking, providing for the creation and regulation of banking corporations, creating the department of banking and prescribing the duties and fixing the salaries of its officers and employees, and repealing Title 2, Part 4 of Division 1 of the Civil Code of Montana entitled, 'Banks and Banking Corporations,' being the provisions of Sections 3909 to 4015, both numbers inclusive, Revised Codes of Montana, 1907, and all Acts amendatory thereof," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 137, by Working, entitled, "An Act to amend Sections 3465, 3466, 3471, 3472 and 3478 of the Revised Codes of 1907 of Montana, relating to the laying out, surveying, platting and recording of any city or town, of any addition to any city or town, or any tract of land within the limits of any city or town, or any townsite, or any tract of land outside of the limits of any city or town sold in small tracts or acreage tracts less than the United States legal subdivision, requiring sales to be made by reference to such plats and the numbers of such lots and blocks; to facilitate the transfer or taxation of such property; and to prevent boundary disputes; providing for public parks within such platted and surveyed area; to promote and preserve the public welfare by prohibiting certain things hurtful to the comfort, safety and welfare of society by establishing such rules and regulations for the use, sale and management of property as may be conducive to public interest; and providing penalties for the violation of such provisions," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. 121, by Ward, entitled, "An Act to create a fund in cities of the State of Montana having a police department, to be known as the police relief and pension funds, for the benefit of policemen and their families; to provide for the organization, government and control thereof; to provide punishment for the violation of the provisions of this Act; to authorize cities to levy an annual tax for the benefit of such fund and to set apart annually for the benefit of such fund a percentage of the fines collected in money in the police court; to authorize the board of trustees of such fund to acquire money for the benefit of such fund from interest, rents, rewards to members of the police department, monthly dues from such members, and from any other source, and to receive and take property, real or personal, by donation, gift, grant, devise or bequest for the use and benefit of such fund, and to authorize and permit gifts, grants, donations, bequests, devises and testamentary disposition to be made to such board of trustees for the benefit of such fund," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 216, by Deibel, entitled, "An Act requiring all persons who keep or maintain a dairy or dairy-farm or who sell milk or cream to secure a license; conferring duties upon the State Board of Health; and to provide a fee for such license and to provide penalties for violation thereof," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 183, by Oscar Anderson, entitled, "An Act authorizing the assignment by County Treasurers of duplicate cer-



tificates of tax sales issued to counties on sales of property for taxes," report same back to the House with the recommendation that Section 1 thereof, line 15, be amended by inserting after the word 'sale' the following: 'and there was no purchaser in good faith for the same as provided by law on the first day the property was offered for sale; and thereafter on the.....day of....., 191....., I again offered said property for sale at the place advertised for such sale, and no person or purchaser offered to take the same and pay the taxes, cost and charges due as aforesaid, the whole amount of the property assessed and described as above was struck off to the county of.....as the purchaser thereof for the sum of \$.....' Strike out all of line 16 after the word "sale" and strike out all of lines 17 and 18, and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 165, by Higgins, entitled, "An Act relating to the practice of pharmacy in the State of Montana and authorizing the registration as assistant registered pharmacists or as registered pharmacists by the State Board of Pharmacy of the State of Montana of persons who present diplomas of graduation from the School of Pharmacy of the University of Montana and pay the regular fees for such registration," report same back to the House with the recommendation that it be recommended to Committee on Public Health and Sanitary Affairs.

Also, having had under consideration H. B. No. 211, by Lewis, entitled, "An Act declaring all buildings and places nuisances, wherein or upon which acts of lewdness, assignation or prostitution are held or occur, or which are used for such purposes, or wherein or upon which any gambling is conducted or carried on, contrary to any of the laws of the State of Montana, or wherein any wine-rooms are maintained, contrary to Sections 8376, 8377, 8384, 8385 and 8386 of the Revised Codes of Montana of 1907 or to any of the laws of the State of Montana, and providing for the abatement and prevention of such nuisances, by injunction and otherwise," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 209, by Judiciary Committee, entitled, "An Act to amend Section 6244 of the Revised Codes of Montana, 1907, providing for two additional justices of the Supreme Court and providing for their appointment and term of office," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 208, by Judiciary committee, entitled, "An Act to amend Section 6594 of the Revised Codes of Montana of 1907, relating to service of notices," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 194, by Huffaker, entitled, "An Act to amend Section 2651 of the Revised Codes of Montana of 1907, relating to notice of application for tax deeds," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 217, by Murray, entitled, "An Act to amend Section 79 of Chapter 1, of the Revised Codes of the State of Montana, 1915, by inserting after the words 'assistant Journal Clerk' the words 'assisting Enrolling Clerk and assistant Engrossing Clerk'," report same back to the House with the recommendation that same be amended as follows, to-wit: Section 1, line 1. Strike out "of the Revised Codes of Montana" and inserting in lieu thereof "of the Session Laws of the Fourteenth Legislative Assembly." Amend title by striking out same and inserting the following: "An Act to amend Section 79 of the Revised Codes of 1907 as amended by Chapter one of the Session Laws of the Fourteenth Legislative Assembly relating to the compensation of certain officers and employees of the Legislative Assembly," and that, as amended, Bill do pass. Report adopted.

McMahon was granted unanimous consent of the House to revert to Third Order of Business.

#### REPORTS OF SELECT COMMITTEES.

The following report of the Special Tax Committee was submitted.

Helena, Montana, February 9th, 1917.



Mr. Speaker and Ladies and Gentlemen of the House of Representatives of the 15th Legislative Assembly of the State of Montana:

We, your Committee, appointed under and by virtue of a certain resolution, duly passed by this House on the 12th day of January, 1917, as follows:

WHEREAS, the Fifteenth Legislative Assembly is confronted with the imperative necessity of raising additional revenue to meet the growing needs of State government; and

WHEREAS, intelligent action should be predicated upon full and accurate information on the subject; now, therefore,

BE IT RESOLVED, that a committee of five members of the House be appointed by the Speaker to inquire into and report to the House concerning the assessed valuation and tax paid on assessable property of all mines and mining industries, hydro-electric and power companies, lighting companies, express companies, telephone and telegraph companies, railroad companies, and sleeping car companies, including all improvements belonging to such companies.

RESOLVED, that said committee be, and is hereby authorized and empowered to summon witnesses and require the production of books, papers and records concerning said matter of inquiry. Said committee to make diligent inquiry and report to the House not later than the twenty-fifth day of the present session.

Beg leave to report to the House that in obedience to the order of the Speaker, in appointing us as such committee, we proceeded to organize by the selection of M. S. Gould as chairman of our committee.

We immediately began a discharge of the duties, as suggested by the foregoing resolution, with all diligence at our command. We at once communicated with each one of the County Assessors, in the forty-one counties of the State, requesting that they supply us forthwith, with all information required by the before mentioned resolution as to assessable property and the taxes paid thereon.

We also procured an auditing department as comprehensive as it was possible for us to get within the time and under the circumstances of our appointment.

We have held public hearings and investigated all of the books, reports, records and figures obtainable which would shed any light upon the assessed valuation and taxes paid, and properties owned by each of the industries mentioned in the resolution foregoing.

For your consideration we submit herewith a full, complete, and we believe, a correct statement based on the best obtainable information of the results of our investigation.

From the public hearings, which we have had and held, and from the matters and facts disclosed by the sub-joined figures and statements, we have arrived at the conclusion that there exists in our State inequalities in matters of taxation.

We had before our committee assessors representing some twenty of the counties of our State; and from the testimony produced before us, we are of the opinion that there exists many inequalities in the matter of property assessments. We respectfully invite the attention of the State Board of Equalization to a full and careful investigation into this matter, to the end that property assessments may be made as nearly uniform as is possible.

We have been unable to furnish you with any figures concerning the business done within this State by the sleeping car companies as such. It appearing that sleeping cars have been assessed as rolling stock to the railway companies, who bill a proportion of the charge to the Pullman company.

It appears to us that the express companies doing business within the State have escaped, in a very large measure, their just proportion of the State's burden of taxation. We find that of the 7 express companies doing business within the State they have returned but little property for the purposes of taxation. Our investigation, as shown by the sub-joined statement, discloses that the net earnings of the express companies, on purely inter-state business for the year 1916 amounted to \$174,853.18; that they paid as taxes to the State of Montana the sum of \$5,446.42, a very large proportion of which was paid by the Northern Express Company on a franchise tax assessed against them by the assessor of Lewis and Clark county.

We have to recommend for your consideration the enactment into law of some provisions levying a franchise tax upon all express companies doing business

with the State, the proceeds of which should inure wholly to the benefit of the State treasury.

We further recommend that in view of the magnitude and the importance of this great matter of taxation, which could not be adequately dealt with in the limited time at our command, that some provision should be made by Act of this Legislative Assembly providing for the creation of a non-partisan tax commission, vested with full authority to make an exhaustive, comprehensive study of all questions involving production of the State's revenue, and the taxation of property and incomes, and make a full and complete report to the next Legislative Assembly.

We believe from testimony that has been given before your committee, the substance of which is hereto attached, and made a part of this report, that there is a necessity of additional legislation to add to the revenues necessary for the use of the State.

It is the judgment of your committee that any proposed legislation should have for its object increasing the revenues of the State without any reference to the needs of the various counties; it being the judgment of your committee that the law is now adequate to provide for the business of the various counties.

In our deliberations we have been guided by the fact that figures submitted to us convince us that when the necessary appropriations have been made by this Assembly for the maintenance of the various State institutions and to provide funds to take care of the present unpaid warrants of the State, the State's indebtedness over and above the amount reasonably to be expected from the present sources of revenue will be approximately one million dollars.

It appears to us that the present laws concerning assessments of various kinds of property are productive of inequalities in the matter of taxation. These inequalities should be corrected insofar as the present laws and constitutional limitations will permit.

To the end that the burdens of taxation may be equalized so far as possible, the attention of the State Board of Equalization is invited to the following statement:

As nearly as can be determined by this committee, the total assessment of the mining companies of the State of Montana is.....	\$42,918,260.00
Total assessment railroad companies .....	87,818,028.00
Total assessment express companies.....	157,784.00
Total assessment telegraph companies .....	570,113.00
Total assessment telephone companies.....	1,364,319.00
Total assessment banks .....	11,412,391.00
Hydro-electric power companies .....	10,140,412.00
Total assessment Pullman Car companies.....	None
Total assessment private car companies.....	None
Total assessment farming industry.....	156,818,411.00
Total assessment live stock industry.....	52,384,484.00
Gross proceeds of the mines for year 1916.....	141,500,000.00
Gross proceeds farming industry for 1916.....	81,154,190.00
Gross proceeds live stock industry for 1916.....	54,187,960.00
Gross proceeds railroad industry for 1916.....	60,199,996.75

The proportion of the total taxes paid is as follows:

Mining industry .....	8.79 %
Farming industry .....	32.14 %
Live stock industry .....	10.73 %
Railroad industry .....	17.99 %
Banking industry .....	2.33 %
Telephone companies .....	0.279 %
Telegraph companies .....	0.117 %
Express companies .....	0.032 %
Hydro-electric power companies.....	2.078 %

The foregoing figures on gross proceeds are merely approximations and are not based on testimony.

Your committee further recommends for the consideration of this Assembly that some law be enacted by this legislature providing for a license fee on corporations.

From the investigations thus far conducted, it appears to us that the various State institutions are in need of financial relief in excess of any revenues that would be produced by the existing means of taxation to the end that these institutions may be properly cared for and the revenues of the State supplemented by additional means, we have to suggest additional legislation for the purpose of producing revenue for the State to the extent of \$750,000.00 per year for the years 1917 and 1918.

That judicious and economical expenditure of all of the State's funds may be had, we suggest for your consideration the establishment of an efficiency department. All of which is respectfully submitted.

(Signed) M. S. GOULD, Chairman  
W. J. McMAHON,  
CHAS. A. RASMUSSEN,  
W. W. SPAIN,  
O. W. BELDEN.

Analysis of tables compiled from public records, and reports of County Assessors to the House Special Tax Investigating Committee.

The table gives the assessed valuation, total tax paid, State tax, percentage of assessed valuation paid in taxes, percentage of county valuation, percentage of State tax paid and percentage of County tax paid, both in segregated and combined forms for the following industries and companies: Railroad companies and industries; mining companies and industries; telegraph industry; telephone industry; hydro-electric power industry; express industry.

It was the intention to include also sleeping car companies, but reports from various assessors disclose the fact that no sleeping car company pays any tax as such in the State, therefore this class of industry was omitted.

Inasmuch as the table gives the before mentioned facts for forty counties and in the segregated form each county is represented in forty-eight different columns, making a total of 1920 separate percentages and totals to consider, and owing to the limited time at the command of the committee, only the grand totals for the entire state will be dealt with here.

The total assessed valuation of the entire state for the year 1916 is \$187,898,353; this sum is used as the basis of comparison in figuring percentages and making comparisons for the different industries and companies.

In arriving at total sums paid the state 2.8 mills was used as a State levy for computing purposes, inasmuch as the State collects that portion on every dollar assessed valuation.

The total State revenue then is \$1,366,715.39; this total is used in computing proportions of State taxes paid by various companies and industries.

The total assessed valuation of the six companies and industries under discussion is \$142,968,914; all other property in the State is assessed at \$344,929,439.00.

Total tax paid by companies.....	\$4,317,805.00
Total state tax paid by companies.....	400,312.95
Total state tax paid by all other property.....	965,802.43

From these figures are derived the following facts:

That the combined tax paid is 29.3 per cent of the total state tax; that these companies pay approximately 29.3 per cent of the total taxes collected in the State, and represent 29.3 per cent of the total assessed valuation of the State.

#### RAILROAD COMPANIES.

Under the head of railroad companies we find that the total assessed valuation of same is \$87,818,028.00; paying a total tax of \$2,623,066.67, from which the State received under the 2.8 mill levy \$245,890.47.

They represent 18 per cent of the State's taxable property paid 18 per cent of all taxes and pay 3.11 per cent of their assessed valuation in taxes.

The total figures given in this case are approximate only, as the committee was forced to depend on reports from various County Assessors, some of whom through carelessness or contempt of proper authority failed to return complete report of their assessments, but the percentages remain correct as they were computed from totals obtained from thirty-eight counties that made complete segregated returns to the committee.



### RAILROAD INDUSTRIES.

The totals and percentages obtained under this caption are differentiated from railroad companies in that nothing is included but that which pertains strictly to the operation of the business and does not include entire company holdings. The total assessed valuation of \$74,588,356.00 does not represent the entire value of the industry for the same reasons given above; but the percentages remain correct, notwithstanding.

The railroad industry pays a total tax of \$2,335,047.31; a State tax of \$208,-847.39 from which is derived the facts that the industry represents 15.29 per cent of the assessed valuation of the State; pays 15.3 per cent of total taxes and pays 3.13 per cent of its assessed valuation in taxes.

### MINING COMPANIES.

The mining companies have an assessed valuation of \$42,918,260.00; paying a total tax of \$1,325,792.78 and a State tax of \$120,171.12. They pay 8.79 per cent of total taxes collected and the same percentage of the total State tax; 3.09 per cent of their assessed valuation is paid in taxes. These figures are only a close approximation, as many assessors failed to report on patented mineral claims and unoperated property upon which taxes are being paid, and upon holdings of mining companies not pertaining to the industry.

### MINING INDUSTRY.

The totals under mining industry are approximate only for the same reasons given above. They differentiate from mining companies in that no company holdings not pertaining to the mining business are included. The mining industry is assessed at \$41,856,095.00 and pays a total tax of \$1,292,296.92. The State receives \$117,197.06 from this industry. These totals include assessment and taxes paid on net proceeds. They represent 8.58 per cent of the total state assessment, pay 8.58 of the state taxes and 3.09 per cent of their assessed valuation is paid in taxes.

### TELEGRAPH INDUSTRIES.

The telegraph industry is assessed at \$570,113.00 upon which a total tax of \$14,722.20 is paid; being 3.35 per cent of the assessed valuation. The total tax paid is \$1,596.32, which is 0.116 per cent of the State's total tax. This industry represents 0.116 per cent of total valuation of the State.

All counties but one are represented in these totals.

### TELEPHONE INDUSTRY.

The assessed valuation of this industry is \$1,364,319.00. This includes assessed valuation given by thirty-nine counties. The total tax paid is \$50,471.20 which is 3.7 per cent of the assessed valuation. This industry pays 0.279 per cent of the State valuation and 0.28 per cent of total taxes paid in the State. The State receives \$14,131.94 from this industry.

### HYDRO-ELECTRIC POWER INDUSTRY.

The total assessed valuation of the hydro-electric power companies in the State as returned by 40 counties is \$10,140,412.00; total tax, \$287,523.71; total State tax, \$28,393.15. This industry pays 3.02 per cent of its assessed valuation in taxes and represents 2.07 per cent of the State's entire valuation. It pays approximately 2.07 per cent of all taxes collected.

### EXPRESS INDUSTRY.

The total assessed valuation of this industry is \$157,784.00. Twenty-six counties do not report any express assessment.

Lewis and Clark County beside personal property assessment reports a franchise tax of \$100,000 assessed valuation upon which taxes are paid.

Total taxes paid \$5,446.42 from which the State receives \$441.78.

This industry represents 0.032 per cent of the State's total assessment and pays approximately 0.032 per cent of all taxes. It pays 3.45 per cent of its assessed valuation in taxes.



From the records of the Board of Railroad Commissioners and ex-officio public service commission, the following data was obtained regarding express companies operating in Montana:

Operating revenues .....	\$80,846,891.96
Operating expenses .....	70,750,256.61
Net operating revenues .....	10,093,635.35
Total mileage .....	278,927.07
Mileage in Montana .....	4,898.08
Average net profits per mile.....	37.26
Proportionate net revenue for Montana.....	174,856.18
Total tax paid, entire system.....	1,320,478.53
Tax paid in Montana.....	5,446.42

From the above data the following percentages were obtained:

Per cent of mileage in Montana.....	1.756
Per cent taxes paid in Montana.....	.360
Per cent of total earnings earned in Montana.....	1.80

Your particular attention is directed to the percentage column showing proportion of assessed valuation paid in taxes by the express industry. This figure is deceptive in that while it shows correctly the proportion paid, the totals do not show the relative proportion of the industry to the State, as the other totals do.

In computing percentages, the assessed valuations in counties were omitted, where no segregated total tax was shown on assessor's report; therefore, these figures, totals and sub-totals are correct when used as a basis for computing percentages, yet they must not be assumed correct for the purposes of determining the actual value or the actual total assessed valuation of any particular class of property.

Gould: I move that the report of the Special Tax Investigating Committee of the House be referred to the Committee on Ways and Means and that 500 copies of the said report be printed for the use of the members of the House and Senate and that the committee be continued, subject to the further order of the House. Motion carried.

On motion of Crismas, House reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 199, beg leave to report that same has been correctly printed.

Report adopted and Bills placed on General Orders.

On motion of Lemmon, House resolved itself into a Committee of the Whole for the consideration of House Bills Nos. 90, 198 and 193.

#### GENERAL ORDERS.

Lemmon in the chair.

House resumed.

Mr. Speaker in the chair.

Lemmon, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 90, by Ashby, entitled, "An Act to provide for the payment to Thomas Daly of the sum of Twelve Hundred Dollars for reimbursement of moneys paid by him in satisfaction of a judgment for Twenty-five Hundred Dollars rendered against him for damages in performance of his duties as a deputy state fire marshal," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 198, by Belden, entitled, "An Act repealing Section 2778 of the Revised Codes of Montana, 1907, being a part of the Act enacted by the Legislative Assembly of the State of Montana, and known as the Political Code of the State of Montana, and being part of Part III, Title XII, Chapter XIII, Article II, providing for licenses of architects, builders, contractors and manufacturers," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 193, by Griffin, entitled,

"An Act to amend Section 1564, the Revised Codes of Montana of 1907, as the same appears after amendment by Chapter 66 of the Session Laws of the Twelfth Legislative Assembly, relating to the pollution of water supply," report same back to the House with the recommendation that Section 1 thereof be amended by striking out in line 7 the word "public" and inserting in lieu thereof the words "federal, state or county," and that, as amended, Bill do pass. Report adopted.

No objection being offered, Speaker reverted to First Order of Business.

### COMMUNICATIONS AND PETITIONS.

The following telegram was received from the Scobey Commercial club:

Scobey, Montana, 230 P FEB 10, 1917.

House of Representatives, Care Presiding Officer, Helena, Montana:

The people of Scobey and vicinity protest against the creation of a new county from any portion of Sheridan County by Legislative action with due respect for the judgment of the Legislature we hold that county and county organization should be left to the direction of the people of the territory involved under the present general law. Scobey is sending representatives. Please defer action until they arrive.

A petition was received from nineteen electors of Toole county, urging upon the Legislature the passage of a Bill which will stop the manufacture, sales and use of alcoholic liquors in the State on December 31, 1917.

On motion of Mason, House adjourned until 2:00 P. M., Monday, February 12, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## FORTY-THIRD DAY

Monday, February 12, 1917.

House met at 2:00 P. M., pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by the Chaplain.

Roll called. All members present; Wheat excused.

Blodgett, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the Forty-first day and find the same to be correct. Report adopted.

### NOTICES OF BILLS.

By Page: "An Act providing that every liquor dealer's license shall expire on December 31, 1918, and making it the duty of every County Treasurer, County Clerk, City or Town Mayor, City or Town Clerk, and every City and Town Treasurer to issue such license to expire on December 31, 1918, to collect proportionally the license tax and to make reports and keep books of accounts accordingly."

By Ward: "An Act to establish a State Miner's Home prescribing its objects and purposes, and providing for its location, site, buildings and improvements, maintenance and management, prescribing commitments thereto, paroles, and discharges; providing for materials, supplies and appropriations for all of said purposes; also for empowering the State Board of Land Commissioners to sell or lease either land or buildings or both for the same."

By Johnson: "An Act to amend Section 186 of the Revised Codes of the State of Montana of 1907, relating to the salary of the State Treasurer."

By McMahon: "An Act to amend Section 175 of the Revised Codes of the State of Montana of 1907, relating to the salary and fees of the State Auditor."

By Harmon: "An Act relative to liens for service of stallions or jacks, and providing penalties for the violation of this Act."

By Duffy: "An Act to amend Section 9 of the new primary law changing

same to read that the names of all candidates shall be arranged alphabetically instead of by lot."

By Ashby: "An Act to amend Section 1 of Chapter 55 of the Session Laws of the Fourteenth Legislative Session of the State of Montana relating to wagers."

By Grimes: "An Act to amend Section 168 of the Revised Codes of the State of Montana of 1907, relating to the salary of the Secretary of State."

By McClory: "An Act to appropriate money for the payment to Mike Hasquet of the amount due him for sheep destroyed and killed by reason of the defective dipping thereof by the State of Montana."

By Andrew: "An Act to amend Section 3241 of the Revised Codes of Montana of 1907, relating to the salary of police Judge."

By Andrew: "An Act to define the powers and duties of County Surveyors, to provide for their compensation, and to create the office of County Engineer in counties of the First class."

By Sand: "An Act establishing the Eastern Montana State Normal School, defining the objects of its establishment, providing for the control, supervision, and management thereof, changing the name of the State Normal College located at Dillon, Montana, and making an appropriation for the construction of the necessary buildings and the support and maintenance thereof."

By Johnston of Ravalli: "An Act providing for the destruction of Canada thistles, Scotch bull thistles and Russian thistles; prescribing the duties of Road Supervisors in relation to the same; and providing the manner in which the expense of such destruction shall be paid; and repealing Sections 8871, 8872, 8873 and 8874 of the Revised Codes of 1907."

By Larse: "An Act prohibiting the herding of sheep within certain limits, and providing a penalty for the violation thereof."

By Farmer: "An Act to amend subdivision 4 of Section 7892 of the Revised Codes of Montana of 1907, with reference to the examination of witnesses."

## REPORTS OF STANDING COMMITTEES.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 314, introduced by Committee on Appropriations, being a Bill for an Act entitled, "An Act providing for the payment of deficiency claims for account of public printing," after having had said Bill under consideration beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 316, introduced by Committee on Appropriations, being a Bill for an Act entitled, "An Act providing for the payment of deficiency claims for account of expense of judges," after having said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 312, introduced by Committee on Appropriations, being a Bill for an Act entitled, "An Act providing for the payment of deficiency claims for account of expense of judges," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriation, to whom was referred House Bill No. 313, introduced by Committee on Appropriations, being a Bill for an Act entitled, "An Act providing for the payment of deficiency claims for account of requisitions," after having said Bill under consideration beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations, to whom was referred

House Bill No. 315, introduced by Committee on Appropriations, being a Bill for an Act entitled, "An Act providing for the payment of deficiency claims for the transportation of prisoners," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 90, 106, 107, 121, 137, 168, 183, 193, 194, 198, 208, 209, 211, 216 and 217, beg leave to report same back as correctly engrossed.

Report adopted and Bills placed on calendar for Third reading.

Hathaway, from the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, to whom was reported House Bill No. 131, introduced by Dodds, entitled "An Act concerning the placement of homeless and dependent children, providing for reports and fixing penalties," report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 63, by Dwight, a Bill for an Act entitled, "An Act to amend Section 1600 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, providing for the method of selecting, purchasing, exchanging or selling of school house sites in school districts of the third class and relating to school house sites in general," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 19, by Burlingame, a Bill for an Act entitled, "An Act providing for service of process and notices upon domestic and foreign corporations, and to repeal Chapter 32 of the Laws of 1915," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 258, by Hathaway, a Bill for an Act entitled, "An Act relating to the admission, care and retention of feeble-minded persons and also persons afflicted with epilepsy to the Montana School for the deaf and blind at Boulder, Montana; to provide for court procedure to commit persons thereto; to provide for the powers and duties of all officers connected therewith; to provide for the payment of certain expenses by the counties of the State; to make provision for the purchase of a farm in connection therewith; and to make appropriations to pay for the said farm and for building certain buildings; and defining the duties and powers of certain state boards," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be re-referred to the Committee on Appropriations.

Report adopted and Bill re-referred to Committee on Appropriations.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 299, by Buell of Missoula, a Bill for an Act entitled, "An Act prohibiting untrue, deceptive and misleading assertions, representation of statements of fact in advertisements within the State of Montana, and providing a penalty for the violation thereof," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass. Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consider-



ation House Bill No. 295, by Prosser, a Bill for an Act entitled, "An Act to provide for the assessment of the property of itinerant, transient or merchant's salesmen of bankrupt stock, etc.," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 279, introduced by Morrow, a Bill for an Act entitled, "An Act establishing and defining the boundary line between Musselshell County and Rosebud County, State of Montana," beg leave to report back with the recommendation that the same do pass.

Report adopted and Bill referred to Printing Committee.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 265, introduced by Burnworth, a Bill for an Act entitled, "An Act to alter the boundaries between Rosebud County on one side and Yellowstone County on the other side and to fix and establish as soon as possible said boundary lines on section lines and to provide that each of said counties shall transcribe and certify the records thereof," beg leave to report back with the recommendation that same do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We your Committee on Affairs of Cities, having had under consideration House Bill No. 159, by Ironside, entitled, "An Act relating to delivery of express matter by express companies at addresses within the corporate boundaries of any of the first, second or third class, and providing penalties for violations hereof," respectfully beg leave to report as follows: That the same do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 284, introduced by Clark, a Bill for an Act entitled, "An Act to amend Section XXIX of Chapter 147 of the Laws, Resolutions and Memorials of the State of Montana, passed at the Eleventh Regular Legislative Session, concerning the platting and disposition of State Lands situated in or adjacent to cities and towns," respectfully beg leave to report as follows: That the same do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 202, introduced by Andrew, entitled, "An Act to provide for the vacation of streets and alleys or portions thereof, in incorporated cities and towns in the State of Montana," respectfully beg leave to report as follows: That the same do not pass. Report adopted.

The following report was received from a majority of the Committee on Printing:

Mr. Speaker: We, a majority of your Committee on Printing, having had under consideration Senate Bill No. 23, being a Bill for an Act entitled, "An Act defining the duties of Boards of County Commissioners relating to the awarding of contracts for the purchasing of supplies and the publication of legal, advertising and notices, and repealing Section 2897 of the Revised Codes of 1907," respectfully beg leave to report as follows: That we recommend that the Bill be not concurred in.

(Signed) HURD, Chairman,  
CARLL,  
BERNARD,  
LANSTRUM,  
BLAKE.

The following report was received from a minority of the Committee on Printing:

Mr. Speaker: We, a minority of your Committee on Printing, having had under consideration Senate Bill No. 26, being a Bill for an Act entitled, "An Act defining the duties of boards of County Commissioners relating to the awarding of contracts for the purchasing of supplies and the publication of legal advertising and notices, an Act repealing Section 2897 of the Revised Codes of 1907," respectfully beg leave to report as follows: That we recommend the Bill be printed and placed on General Orders."

Hurd: I move the adoption of the majority report.

Searles: As a substitute, I move the adoption of the minority report.

Motion lost by standing vote of 31 to 43 and majority report adopted.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, to whom was referred the report of the Special Tax Committee, respectfully beg leave to recommend that 1,000 copies of the report be printed for use of the House and Senate. Report adopted.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 221, 192, 239, 245 and 145, beg leave to report that we have received same correctly printed.

Report adopted and Bills placed on General Orders.

Deibel, from the Committee on State Institutions, Public Buildings and Grounds, reported as follows:

Mr. Speaker: We, your Committee on State Institutions, Public Buildings and Grounds, having had under consideration House Bill No. 212, introduced by Working, a Bill for an Act entitled, "An Act authorizing the board of trustees of the State Law library to appoint an assistant librarian in the State Law library, prescribing his qualifications and providing for his compensation," respectfully beg leave to report as follows: That this Bill do not pass. Report adopted.

Husser, from the Committee on Public Health, reported as follows:

Mr. Speaker: We, your Committee on Public Health, having had under consideration House Bill No. 184, introduced by Blake, being a Bill for an Act entitled, "An Act to regulate and govern the sanitary conditions under which wall paper, or substitute wall covering shall be placed on the walls of rooms in tenement houses or other houses owned or maintained for rent, and to make a violation of any of the provisions of this Act a misdemeanor," respectfully beg leave to report as follows: That we recommend that the Bill do pass.

Report adopted and Bill referred to Printing Committee.

Husser, from the Committee on Public Health, reported as follows:

Mr. Speaker: We, your Committee on Public Health, having had under consideration Senate Bill No. 95, introduced by Slayton, being a Bill for an Act entitled, "An Act to amend Section 8492 of the Revised Codes of Montana, 1907, relative to the sale of carcasses of animals affected with an infectious or contagious disease," respectfully beg leave to report as follows: That we recommend that the Bill be concurred in.

Report adopted and Bill placed on General Orders.

Husser, from the Committee on Public Health, reported as follows:

Mr. Speaker: We, your Committee on Public Health, having had under consideration Senate Bill No. 10, introduced by Annin, being a Bill for an Act entitled, "An Act to amend Section 11 of Chapter 50 of the Session Laws of the Thirteenth Legislative Assembly relative to the establishment of a board of examiners for nurses and providing for the issuance of a license or certificate of registration to persons engaged in the profession of nursing the sick," respectfully beg leave to report as follows: That we recommend that the Bill be concurred in.

Report adopted and Bill placed on General Orders.

Morris, from the Committee on Livestock and Public Ranges, reported as follows:

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 180, introduced by Shaw, a Bill for an

Act entitled, "An Act to amend Section 1808 of the Revised Codes of Montana, 1907, relating to the inspection of horses when moved from one county to another within the State," respectfully beg leave to report back to the House that this Bill do pass.

Report adopted and Bill referred to Printing Committee.

Larse, from the Committee on Railroads and Transportation, reported as follows:

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 297, by Davis, a Bill for an Act entitled, "An Act to amend Section 4349 of the Revised Codes of the State of Montana, 1907, concerning passenger rates charged by any railroad or railway companies operating wholly or in part in the State of Montana," respectfully beg leave to report as follows: That this Bill do not pass. Report adopted.

Morris, from the Committee on Livestock and Public Ranges, reported as follows:

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 155, introduced by White, Sektnan, Holt and Bernard, a Bill for an Act entitled, "An Act to create herd districts and prevent livestock running at large in established herd districts and to provide for the fixing and collection of damages from stock trespassing within the boundaries of such districts and repealing all Acts and parts of Acts in conflict herewith," respectfully beg leave to report that Substitute for House Bill No. 155, do pass. Report adopted.

## INTRODUCTION AND SECOND READING OF BILLS AND MEMORIALS.

H. B. No. 317, introduced by Wheat: A Bill for an Act entitled, "An Act to fix the salary of the janitors of the State Capitol building." Read first and second time and referred to Judiciary Committee.

H. B. No. 318, introduced by Wheat: A Bill for an Act entitled, "An Act to appropriate fifteen hundred dollars to erect a monument marking the site of the discovery of gold in Alder gulch, Madison County, and to commemorate that event and the discoverers." Read first and second time at length and referred to Appropriations committee.

H. B. No. 319, introduced by Kelsey: A Bill for an Act entitled, "An Act to amend Section 1 of Chapter 131 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, 'An Act to protect the owners of cattle and to cause the inspection of the same before their removal from one county to another within the State of Montana.'" Read first and second time and referred to Committee on Livestock and Public Ranges.

H. B. No. 320, introduced by Harmon: A Bill for an Act entitled, "An Act to create a permanent fund to be known as the 'Anti-Hog Cholera Serum Fund,' appropriating money from the general fund for the use of such fund, and prescribing the purpose for which such fund shall be used." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 321, introduced by Prosser: A Bill for an Act entitled, "An Act relating to the powers and duties of constables and fixing their compensation." Read first and second time and referred to Judiciary Committee.

H. B. No. 322, introduced by Hawks: A Bill for an Act entitled, "An Act to amend Sections 1, 2 and 3 of Chapter 139 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, providing for the creation, organization and classification of new counties, for locating county seats, and for the election and appointment of officers." Read first and second time and referred to Committee on New Counties and Divisions.

H. B. No. 323, introduced by McMillan: A Bill for an Act entitled, "An Act making it an offense for any executive, legislative, judicial, ministerial, or other officer of this State, or any District, County, City or other political subdivision of the State to appoint or vote for the appointment of any person related to him by affinity or consanguinity within the third degree, to any clerkship, office position, employment or duty in any department or office of the State, or of any district, county, city or other political subdivision of the State



of which the person making or participating in the appointment may be an officer or employee, or to appoint any person so related to any other such office in consideration of the agreement or promise of such other officer to appoint any person so related to the officer making such appointment; prohibiting the payment of any public funds to any such ineligible person out of any public funds and providing for suitable punishment and removal from office for the violation of this Act." Read first and second time and referred to Judiciary Committee.

H. B. No. 324, introduced by Blodgett: A Bill for an Act entitled, "An Act defining unlawful detainer." Read first and second time and referred to Judiciary Committee.

H. B. No. 325, introduced by Murray: A Bill for an Act entitled, "An Act providing qualifications for conductors and flagmen, who shall be hereafter employed to work in the train service of any railroad or railway company, operating in whole or in part in the State of Montana." Read first and second time and referred to Committee on Railroads and Transportation.

H. B. No. 326, introduced by Higgins: A Bill for an Act entitled, "An Act to impose a State Corporation License Tax upon corporations engaged in manufacturing, mining, transportation, or in any other industrial pursuits or in business of any kind in the State of Montana, and to provide for the enforcement thereof." Read first and second time and referred to Committee on Ways and Means.

H. B. No. 327, introduced by Lanstrum: A Bill for an Act entitled, "An Act to amend Section 2763 of the Revised Codes of the State of Montana." Read first and second time and referred to Judiciary Committee.

H. B. No. 328, introduced by Larse: A Bill for an Act entitled, "An Act to regulate the use of artesian wells, to prevent the waste of water flowing therefrom, and defining 'waste' as used for the purpose of this Act and to provide penalties for the violation of this Act." Read first and second time and referred to Committee on Waterways and Navigation.

H. B. No. 329, introduced by Ball: A Bill for an Act entitled, "An Act creating and providing for county athletic commissions in counties of the first class and regulating boxing and sparring contests in counties of the first class in the State of Montana." Read first and second time and referred to Committee on Affairs of Cities.

H. J. M. No. 8, introduced by Kemmis and Anderson: "A Resolution memorializing Congress for the passage of necessary legislation to authorize the Northern Pacific Railway Company to relinquish certain lands in the State of Montana in favor of bona fide settlers thereon and to select other lands in the State of Montana in lieu thereof." Read first and second time and referred to Judiciary Committee.

H. B. No. 330, introduced by Searles: A Bill for an Act entitled, "An Act to provide for the segregation of common prostitutes and women of ill-fame within certain boundaries, and providing a penalty for not conforming thereto; and providing a penalty for taking any female thereto who is not a common prostitute or woman of ill-fame; and providing a method of police control of such persons; and repealing Sections 8376, 8397, 8398 and Subdivisions 5 and 6 of Section 8828 of the Revised Codes of Montana, 1907." Read first and second time and referred to Judiciary Committee.

#### READING OF SENATE BILLS.

S. B. No. 48, read first and second time, and referred to Committee on Judiciary.

S. B. No. 78, read first and second time, and referred to Committee on New Counties and Divisions.

#### MOTIONS AND RESOLUTIONS.

Husser: I move that H. B. No. 221 be placed on General Orders.

Lusk: I move, as a substitute, that motion of Husser be laid upon the table.



Substitute motion lost and motion of Husser carried.

Ashby: I move that the Journal of Friday, February 9, show the attached notice to have been given. This for the purpose of correcting the history of H. B. No. 305.

Motion carried.

#### CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE.

The following communications were received from the Senate:

Senate Chamber, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 157, Featherly: "An Act to change the boundary of Beaverhead and Madison County, Montana, and to take a certain part of Madison County therefrom and add to Beaverhead County." Referred to Committee on Counties and Towns.

S. B. No. 158, Smith: "An Act to provide for an annual convention of County Assessors, and to provide for the time and place of said conventions, and to provide for the payment of the actual expenses of assessors in attending said convention." Referred to Committee on Judiciary.

S. B. No. 159, Slayton: "An Act to amend Section 4535 of the Revised Codes of Montana of 1907, relating to monuments and fences and the duty of co-terminus owners with reference to the maintaining of the same." Referred to Committee on Agriculture.

S. B. No. 160, Jones: "An Act to provide for the validation of certain instruments and records which have heretofore been filed, recorded or made in the State of Montana." Referred to Committee on Judiciary.

S. B. No. 161, Healy: "An Act providing for the punishment of persons guilty of disturbance of the peace upon any railway train or car in the State of Montana, providing penalties for the violation thereof, and conferring police powers upon railway conductors while engaged in operating trains upon lines of railways in the State of Montana." Referred to Committee on Railroads.

S. B. No. 162, Kane and Hogan: "An Act to further provide for the creation, organization, government and extension of irrigation districts; to permit of converting private irrigation projects into public corporations under the Irrigation District Laws; to amend and to re-enact Sections 1, 4, 11 and 35 of Chapter 146, Session Laws of Montana, 1909, and Sections 9 and 40 thereof as amended by Chapter 145 of the Session Laws of Montana, 1915." Referred to Committee on Irrigation.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Afternoon Session, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second times, and referred as follows:

S. B. No. 163, Agriculture Committee: "An Act to increase the earnings of the permanent common school funds and other permanent funds of the State of Montana, and to amend Sections 786, 2196 and 2197 of the Revised Codes of 1907; and to repeal or amend all laws or parts of laws in conflict therewith, and to authorize the sale of bonds and other securities belonging to the State of Montana or held in trust by the State and to provide for the refunding of any bonds issued by the State or any subdivision thereof; and to provide for the investment of the permanent school funds and other trust funds and authorizing the State Board of Land Commissioners to adopt rules and regulations pertaining to loans made upon farm mortgages and other investments of such funds." Referred to Printing Committee.

S. B. No. 164, Whiteside: Substitute for Senate Bill No. 136, "An Act to accept the terms and provisions of the Federal Act giving aid to the several States for vocational education, and to authorize the State Board of Education

to establish vocational education in the public elementary schools and public high schools of the State; to provide for the training of teachers of vocational subjects, designating the State Treasurer as custodian for vocational education with authority to accept and disburse money received from the Federal Government for such vocational education, and the training of teachers and appropriating money to meet appropriations made by the Federal Government for such purposes." Referred to Printing Committee.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committees with recommendations:

Committee on Engrossed Bills reported Senate Bills Nos. 48, 59 and 78 correctly engrossed. Report adopted.

Committee on Printing reported Senate Bill No. 133 correctly printed. Report adopted.

Committee on Judiciary reported S. B. No. 148, introduced by Edwards, relating to the office of Attorney General, with the recommendation that the same do pass. Report adopted.

Also reported S. B. No. 103, by Taylor, relating to the revision of the Civil Procedure, with the recommendation that the same do pass. Report adopted.

Also reported S. B. No. 124, by Smith by request, relating to payment of debts, with the recommendation that same be indefinitely postponed. Report adopted.

Also reported S. B. No. 146, by Lane, relating to Barratry, with the recommendation that the same do pass. Report adopted.

Committee on Fish and Game reported S. B. No. 121, by Whiteside, relating to fish hatcheries, with the recommendation that same be amended and as amended that the Bill do pass. Report adopted.

Also reported S. B. No. 74, by Lane, relating to fishing through ice of certain streams, with the recommendation that the Bill be amended and as amended that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day reported from Standing Committees with recommendations:

Committee on Public Morals reported H. B. No. 89, introduced by Dodds, relating to lazy husbands, with the recommendation that the same be concurred in.

Also reported H. B. No. 143, introduced by Bent, relating to desertion of children, with the recommendation that the same be concurred in.

Committee on Stock Growing and Grazing reported H. B. No. 128, introduced by Demel, recommending that the Bill be amended as follows:

Amend Section I by striking out in line 4, after the word "city" the words "or within one mile thereof," and by striking out in line 5, after the word "town," the words "or within one half mile thereof."

Amend Section II by adding at the end of the Section the following: "and in any case where a misdemeanor is proven, under the provisions of this Act, all damages and any cost incident to the collection of said damages shall be assessed to the owner of said trespassing livestock," and that the Bill as so amended be concurred in.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body

that the Printing Committee this day reported Senate Bills Nos. 57 and 106 correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported from Standing Committees with recommendations:

Committee on Finance and Claims reported House Bill No. 138, by Searles, with the recommendation that the same be concurred in. Report adopted.

Committee on Elections and Privileges reported House Bill No. 166, by Higgins, with the recommendation that same be concurred in.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 127, introduced by Buell of Missoula, was this day read a third time, concurred in as amended, title agreed to, and is herewith returned to the House for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day reported from Standing Committees with recommendations:

Committee on Agriculture reported Senate Bill No. 53, by Whiteside, with the recommendation that the Substitute Bill do pass. Report adopted.

Committee on Finance and Claims reported Senate Bill No. 155, by Burla, with the recommendation that same do pass. Report adopted.

Also reported S. B. No. 136, by Whiteside, with a substitute Bill therefor, and recommending that the Substitute Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Election and Privileges, to whom was referred H. B. No. 24, by Bernard, relating to compensation of Boards of Election, etc., this day reported same back with the recommendation that the Bill be not concurred in. Report adopted. Bill is herewith returned.

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended by Committee of the Whole as follows:

H. B. No. 109, by Demel, re-referred to Judiciary Committee.

H. B. No. 112, by Husser, re-referred to Committee on Sanitary Affairs.

H. B. No. 63, by Hathaway, re-referred to Committee on Dairies and Dairying. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day recommended unfavorably by Committee of the Whole. Report adopted. Bills are herewith returned.

H. B. No. 98, by Carll.

H. B. No. 103, by Husser.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Bills Nos. 48 and 78 were this day read three several times and passed, title agreed to and same are herewith transmitted to your Honorable Body for concurrence.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills having this day been read three several times and concurred in as amended, titles agreed to, are herewith transmitted to your Honorable Body for concurrence in Senate amendments:

H. B. No. 42, by McQuarrie.

H. B. No. 23, by Johnston and Cotter.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures having this day been read three several times and concurred in, titles agreed to, are herewith returned:

H. J. M. No. 5, by Hathaway.

H. B. No. 76, by O'Brien.

H. B. No. 113, by Ward.

H. B. No. 123, by Henderson.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 10, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following measures:

H. B. No. 67, by Wheat.

H. B. No. 87, by Belden.

H. B. No. 4, by Murray.

Respectfully,

J. F. CONE, Secretary of the Senate.

The following communications were received from His Excellency, the Governor:

Executive Office, February 12, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise you that I have this day approved House Bill No. 4, "An Act regulating and limiting the hours of employment for female employees, and governing the conditions under which female employees shall work in certain industries, and providing penalties for violation thereof."

S. V. STEWART, Governor.

Executive Office, February 10, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise you that I have this day approved the following Bills:

H. B. 17, relating to the collection of taxes by the County Treasurer.

H. B. 67, an Act to regulate the giving or furnishing of bonuses or premiums, etc.

S. V. STEWART, Governor.

### THIRD READING OF HOUSE BILLS.

Senate amendments to H. B. No. 29 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller,



Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Weil, White, Mr. Speaker—83.

Noes: Crismas—1.

Absent and not voting: Booth, Brooks, Deibel, Jones, Lemmon, McClory, Rainey, Searles, Ward, Wheat, Working—11.

Bill referred to Engrossing Committee for engrossment of Senate amendments.

On motion of Lusk, H. B. No. 72 was placed on General Orders.

H. B. No. 196, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lewis, Lusk, McDonald, McMahon, McMillan, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, White, Working, Mr. Speaker—84.

Noes: McQuarrie—1.

Absent and not voting: Booth, Brooks, Deibel, Husser, Lemmon, McClory, Mason, Rainey, Ward, Wheat—10.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 149, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Baldwin, Ball, Bent, Buell of Missoula, Buchanan, Burnworth, Carll, Crismas, Crowley, Cutts, Davis, Demel, Duffy, Eaton, Eliel, Fishbaugh, Griffin, Grimes, Harbert, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lewis, McDonald, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, Page, Phelps, Prosser, Rasmussen, Sand, Scott, Sektnan, Weil, White, Mr. Speaker—57.

Noes: Anderson (Oscar W.), Andrew, Baxter, Belden, Bernard, Blake, Blodgett, Buell of Gallatin, Clark, Connolly, Cotter, Dodds, Farmer, Fuller, Gould, Gullidge, Harmon, Johnson of Deer Lodge, Kelsey, Lemmon, Lusk, McMahon, O'Brien, Quaintance, Shaw, Spain, Working—27.

Absent and not voting: Booth, Brooks, Deibel, Henderson, McClory, Morris, Rainey, Searles, Stimpert, Ward, Wheat—11.

Title agreed to and Bill transmitted to Senate for concurrence.

Senate amendments to H. B. No. 23 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lewis, Lusk, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, White, Working, Mr. Speaker—81.

Noes: Blake, Blodgett, Duffy, Farmer, Grimes, Lemmon, McMahon—7.

Absent and not voting: Baldwin, Booth, Brooks, Kemmis, McClory, Rainey, Wheat—7.

Bill referred to Engrossing Committee for engrossment of Senate amendments.

Senate amendments to H. B. No. 127 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, White, Working, Mr. Speaker—87.

Noes: Hawks—1.

Absent and not voting: Andrew, Booth, Brooks, Jones, McClory, Rainey, Wheat—7.

Bill referred to Engrossing Committee for engrossment of Senate amendments.

Senate amendments to H. B. No. 42 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, White, Working, Mr. Speaker—90.

Noes: None.

Absent and not voting: Booth, Brooks, McClory, Rainey, Wheat—5.

Bill referred to Engrossing Committee for engrossment of Senate amendments.

H. B. No. 211, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Bent, Bernard, Blake, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Cotter, Crismas, Deibel, Demel, Dodds, Eaton, Eliel, Fuller, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Ingalls, Johnston of Ravalli, Kehoe, Kemmis, Larse, Lemmon, Lewis, McDonald, Mason, Middleton, Morrow, Page, Phelps, Sand, Scott, Sektnan, Stimpert, Weil, White, Working, Mr. Speaker—49.

Noes: Andrew, Ashby, Baldwin, Ball, Baxter, Blodgett, Carll, Connolly, Crowley, Davis, Duffy, Fishbaugh, Grimes, Higgins, Huffaker, Husser, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kelsey, Lanstrum, Lusk, McMillan, McQuarrie, Morris, Murray, O'Brien, Prosser, Quaintance, Searles, Shaw, Ward—33.

Absent and not voting: Belden, Booth, Brooks, Cutts, Farmer, Gould, Hurd, McClory, McMahon, Rainey, Rasmussen, Spain, Wheat—13.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 168, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas,

Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, White, Working, Mr. Speaker—82.

Noes: None.

Absent and not voting: Belden, Booth, Brooks, Cutts, Gould, Holt, McClory, McMahon, Quaintance, Rainey, Rasmussen, Spain, Wheat—13.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 194, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, White, Working, Mr. Speaker—82.

Noes: None.

Absent and not voting: Belden, Booth, Brooks, Connolly, Cutts, Gould, Lanstrum, McClory, McMahon, Rainey, Rasmussen, Spain, Wheat—13.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 121, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, White, Working, Mr. Speaker—82.

Noes: None.

Absent and not voting: Belden, Bernard, Booth, Brooks, Cutts, Davis, Gould, Jones, McClory, Rainey, Rasmussen, Spain—13.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 193, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, White, Working, Mr. Speaker—80.

Noes: Jensen—1.

Absent and not voting: Belden, Booth, Brooks, Cutts, Davis, Gould, Ingalls, McClory, McDonald, McMahon, Rainey, Rasmussen, Spain, Wheat—14.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 183, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Larse, Lemmon, Lewis, Lusk, McDonald, McMillan, McQuarrie, Mason, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Stimpert, Ward, Weil, White, Working, Mr. Speaker—75.

Noes: Kelsey—1.

Absent and not voting: Belden, Bernard, Booth, Brooks, Crowley, Davis, Gould, Holt, Ingalls, Kemmis, Lanstrum, McClory, McMahon, Middleton, Rainey, Rasmussen, Shaw, Spain, Wheat—19.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 106, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, White, Working, Mr. Speaker—80.

Noes: None.

Absent and not voting: Belden, Blodgett, Booth, Brooks, Crowley, Davis, Gould, Hurd, Kemmis, McClory, McMahon, Rainey, Rasmussen, Spain, Wheat—15.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 198, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blake, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Cutts, Davis, Deibel, Demel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Shaw, Stimpert, Ward, Weil, White, Mr. Speaker—71.

Noes: Anderson (Oscar W.), Arneson, Cotter, Dodds, Hawks, Ingalls, Kelsey, Page, Sektnan—9.

Absent and not voting: Baldwin, Blodgett, Booth, Brooks, Crowley, Davis, Gould, Hurd, Kemmis, McClory, McMahon, Rainey, Rasmussen, Spain, Wheat—15.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 217, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Bent, Bernard, Blake, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Cutts, Davis, Deibel,



Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, White, Working, Mr. Speaker—80.

Noes: None.

Absent and not voting: Baldwin, Belden, Blodgett, Booth, Brooks, Crowley, Gould, Hathaway, Henderson, Holt, Kemmis, McClory, Phelps, Rainey, Wheat—15.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 209, having been read three several times, was lost by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Ball, Belden, Blake, Blodgett, Buchanan, Carll, Clark, Connolly, Cotter, Crowley, Cutts, Demel, Duffy, Fuller, Grimes, Hawks, Ironside, Kehoe, Kelsey, Lemmon, Lewis, McMahon, Mason, Morris, Murray, O'Brien, Searles, Stimpert, Ward, White, Working—36.

Noes: Arneson, Baldwin, Baxter, Bent, Bernard, Buell of Missoula, Buell of Gallatin, Burnworth, Crismas, Davis, Deibel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Gould, Griffin, Gullidge, Harbert, Harmon, Henderson, Henry, Higgins, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kemmis, Lanstrum, Larse, Lusk, McDonald, McQuarrie, Middleton, Morrow, Page, Phelps, Quaintance, Rasmussen, Sand, Sektnan, Shaw, Spain, Weil—49.

Absent and not voting: Booth, Brooks, Hathaway, Holt, Husser, McClory, McMillan, Rainey, Wheat; Mr. Speaker present but not voting—10.

H. B. No. 90, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bernard, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Rasmussen, Scott, Searles, Shaw, Spain, Stimpert, Ward, Weil, White, Working—78.

Noes: Crismas, Fishbaugh, Gould, Jensen, Kemmis, Page, Sand—7.

Absent and not voting: Bent, Booth, Brooks, Hathaway, Husser, McClory, Rainey, Sektnan, Wheat; Mr. Speaker present but not voting—10.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 216, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Blake, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crowley, Cutts, Davis, Deibel, Duffy, Eaton, Eliel, Farmer, Fuller, Griffin, Grimes, Gullidge, Harmon, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Rasmussen, Scott, Searles, Shaw, Spain, Stimpert, Ward, Weil—69.

Noes: Arneson, Baxter, Blodgett, Clark, Crismas, Dodds, Gould, Hawks, Larse, McMillan, Phelps, Quaintance, Sand, Sektnan, White—15.

Absent and not voting: Booth, Brooks, Demel, Fishbaugh, Harbert, Hathaway, McClory, Rainey, Wheat, Working; Mr. Speaker present but not voting—11.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 208, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, White, Working, Mr. Speaker—87.

Noes: None.

Absent and not voting: Booth, Brooks, Hathaway, Hawks, McClory, McMillan, Rainey, Wheat—8.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 107, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, White, Working—88.

Noes: None.

Absent and not voting: Booth, Brooks, Hathaway, McClory, Rainey, Wheat; Mr. Speaker present but not voting—7.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 137, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, White, Working—82.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Belden, Booth, Brooks, Gould, Hathaway, McClory, McMahon, Rainey, Rasmussen, Spain, Wheat; Mr. Speaker present but not voting—13.

Title agreed to and Bill transmitted to Senate for concurrence.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Joint Memorial No. 5 and House Bills 76 and 113, beg leave to report same back as correctly enrolled.

Mr. Speaker notified the House that he was about to sign S. J. M. No. 5

and House Bills Nos. 76 and 113, and signed same in the presence of the House.  
On motion of Lemmon, House adjourned until 10:00 A. M. Tuesday, February 13, 1917.

J. F. O'CONNOR, Speaker.  
C. H. TREACY, Chief Clerk.

## FORTY-FOURTH DAY

Tuesday, February 13, 1917.

House met at 10:00 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by the Chaplain.

Roll called. All members present.

Blodgett, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the forty-third day and find the same to be correct. Report adopted.

### NOTICES OF BILLS.

By Scott: "An Act to amend Section 1291 of the Revised Codes of Montana, 1907, as amended by Chapter 93 of the Laws of the Thirteenth Legislative Assembly relating to the admission into the State Home of wives and widows of soldiers and sailors."

By Holt: "An Act providing for a penalty against railroads who fail to move cars."

By Mason and Shaw: "An Act enumerating noxious weeds, providing for their summary destruction and the method whereby such destruction shall be accomplished; fixing the duty of the Board of County Commissioners, Road Supervisors, County Attorney, Auditor and Treasurer in that behalf, and repealing Sections 8871, 8872, 8873 and 8874 of Part I, Title XVI of Chapter II of the Revised Codes of Montana, 1907."

By Stimpert: "An Act to amend Sections 500, 501, 502, 503, 504, 505, 510 and 512 of the Revised Codes of Montana of 1907, relating to Judges and Clerks of Election and Ballot Boxes."

By Booth: "An Act to amend Section 6388 of Part I, Title V of the Revised Codes of Montana of 1907, relating to practicing law without a license and prescribing a penalty therefor."

By Farmer: "An Act to amend Sections 4349 and 4352 of the Revised Codes of 1907, relating to passenger rates to be charged by railroads within the State of Montana and the disposition of fines collected for a violation thereof, and repealing Section 4350 of the Revised Codes of 1907."

By McClory: "An Act to provide and regulate the method of determining the amount of dockage for waste to be allowed in all cases of disagreement between the buyer and seller as to the amount thereof, and to provide penalties for the violation thereof."

By Middleton: "A Bill for an Act to provide for the admission of the authenticity of documents in civil actions."

By Middleton: "A Bill for an Act providing for the disqualification of trial judges in criminal cases."

By Middleton: "A Bill for an Act relating to the method of taking depositions in civil actions."

By Phelps: "An Act to provide for the destruction of noxious weeds, providing for the destruction of same by the County Commissioner and arranging for the assessment of the cost of same against the land; also providing the taxes of County Commissioners relative to the destruction of weeds growing upon the public highways in any county."

By Crowley: "An Act relating to funeral, burial and benefit associations and declaring them to be insurance corporations."

By Cotter: "An Act to provide for the creation of trespass districts on certain lanes and highways, and to prohibit livestock from running at large therein, and fixing the penalty therefor, and defining the boundaries thereof, and repealing all acts and parts of acts in conflict herewith."

By Harmon: "An Act to amend Section 203 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly, 1913, relating to the salary and traveling expenses of the Superintendent of Public Instruction."

By Harmon, Buell of Gallatin, Johnston and Clark: "An Act to make sheriffs, deputy sheriffs and constables ex-officio deputy game and fish wardens, and to define their duties; and repealing Sections 1953, 1954, 1955, 1957, 1958, 1962, 1969 and 1975 of the Revised Codes, 1907, relating to game and fish wardens, and Section 1961 of the Revised Codes of 1907, as amended by Chapter 87 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, entitled, 'An Act to amend Section 1961 of the Revised Codes of Montana of 1907, authorizing and empowering the state game and fish warden to create additional game and fish districts, and to appoint additional special deputy game and fish wardens,' approved March 5, 1909, and Section 2 of Chapter 28 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, entitled, 'An Act authorizing the State Game and Fish Warden to appoint a Chief Deputy and defining his powers and duties, and amending Section 1968, Revised Codes of the State of Montana of 1907, relating to the compensation of deputy game and fish wardens,' approved February 16, 1911, and Chapter 63 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, entitled, 'An Act authorizing the State Game and Fish Warden to appoint additional deputies at certain times; providing for their compensation, and authorizing the State Game and Fish Warden to employ an additional clerk, and fixing the salary thereof, and providing the manner in which the same shall be paid,' approved March 2, 1911, and Chapter 96 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, entitled, 'An Act authorizing the State Game and Fish Warden to appoint six additional deputies, providing for their compensation and providing the manner in which the same shall be paid,' approved March 14, 1913."

By Belden: "An Act appropriating the sum of four thousand eight hundred dollars, or so much thereof as may be necessary to pay the claims of the duly elected delegates to the Democratic, Republican and Progressive national conventions held in the year 1916."

#### REPORTS OF STANDING COMMITTEES.

Murray, from the Committee on Labor, reported as follows:

Mr. Speaker: We, your Committee on Labor, having had under consideration Senate Bill No. 29, introduced by Oliver, a Bill for an Act entitled, "An Act relating to liens for labor and materials furnished to owners of leaseholds for oil and gas purposes and for materials and labor for the construction of oil and gas pipe lines," respectfully beg leave to report same back to the House with the recommendation that it be concurred in:

Report adopted and Bill placed on General Orders.

Murray, from the Committee on Labor, reported as follows:

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 275, introduced by Ashby, a Bill for an Act entitled, "An Act creating a lien on motor vehicles for labor furnished, or machinery, supplies, materials or storage contributed, in making, altering, repairing, storing or otherwise caring for the same; and providing for the filing of a statement of such lien, the enforcing and foreclosure of the same," respectfully beg leave to report same back to the House with the recommendation that it do pass:

Report adopted and Bill referred to Printing Committee.

Murray, from the Committee on Labor, reported as follows:

Mr. Speaker: We, your Committee on Labor, having had under consideration House Bill No. 83, introduced by Ironside, a Bill for an Act entitled, "An Act providing for an eight hour day for all employees earning wages, and extra



compensation for overtime," respectfully beg leave to report same back to the House with the recommendation that it be printed.

Report adopted and Bill referred to Printing Committee.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 218, introduced by Johnston of Ravalli, being a Bill for an Act entitled, "An Act to provide for the construction of a fish hatchery for the propagation of food fish in Ravalli County, Montana, and to appropriate money therefor," after having said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass.

Report adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 306, introduced by Grimes, being a Bill for an Act entitled, "An Act making an appropriation for the purpose of defraying the expenses of making motion picture films of the members of the Senate, House of Representatives and attaches of the Fifteenth Legislative Assembly and Executive Departments of the State of Montana," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass.

Report adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 201, introduced by Gullidge, being a Bill for an Act entitled, "An Act establishing the Southeastern Montana State Normal School at Terry, Montana; defining the objects of its establishment, providing for the control, supervision and management thereof, and making an appropriation for the construction of the necessary buildings thereof," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass.

Report adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 187, introduced by Kemmis, being a Bill for an Act entitled, "An Act to establish a State Normal College at Sidney, Richland County, Montana, which shall be known as the Eastern Montana State Normal College, to make the same a part of the University of Montana, and provide an appropriation with which to build and equip same, and to provide the maintenance and operation of said College," after having said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass.

Report adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 140, introduced by Cotter, being a Bill for an Act entitled, "An Act creating the Montana State Geological Survey, providing for the issuance of pamphlets on the mineral resources of the State for the information of the general public, and appropriating money for the carrying out of the provisions of this Act," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 308, introduced by Ashby, being a Bill for an Act entitled, "An Act appropriating money for the maintenance of the State Board of Poultry Husbandry for the two years commencing March 1, 1917, and ending February 28, 1919," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass for the

reason that the appropriation for same will be provided for in the general appropriation Bill.

Report adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 290, being an Act entitled, "An Act appropriating money to pay the deficiency claim of Tim Driscoll for transporting prisoners to the State penitentiary during January and February, 1915," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 58, introduced by Jones, a Bill for an Act entitled, "An Act to create the County of Wheatland, designate its boundaries and provide for its organization and government, and to change the boundaries of Meagher and Sweet Grass counties to conform thereto," beg leave to report that we do concur therein.

Report adopted and Bill placed on General Orders.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 76, introduced by Oliver, a Bill for an Act entitled, "An Act to create the County of Sykes, designate its boundaries, provide for its organization and government and to change the boundaries of Fallon County to conform thereto," beg leave to report that we do concur therein.

Report adopted and Bill placed on General Orders.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 115, introduced by Blake, a Bill for an Act entitled, "An Act providing for the levy and collection of a tax upon income, to be known as the State Income Tax Law," respectfully beg leave to report as follows: That the Bill be printed and returned to the Committee.

Report adopted and Bill referred to Printing Committee.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 144, introduced by White, a Bill for an Act entitled, "An Act to create a tax and license commission and prescribing its powers and duties," respectfully beg leave to report as follows: That the Bill do pass.

Report adopted and Bill referred to Printing Committee.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 110, introduced by Hathaway, a Bill for an Act entitled, "An Act to submit to the qualified electors of the State of Montana, an amendment to Section 1 of Article XII of the Constitution of the State of Montana relating to revenue and taxation and providing for the imposition of taxes on incomes and privileges," respectfully beg leave to report as follows: That the Bill be printed and returned to the Committee.

Report adopted and Bill referred to Printing Committee.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 326, introduced by Higgins, a Bill for an Act entitled, "An Act to impose a State corporation tax upon corporations engaged in manufacturing, mining, transportation or in any other industrial pursuits or in business of any kind in the State of Montana, and to provide for the enforcement thereof," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it be printed and returned to Committee.

Report adopted and Bill referred to Printing Committee.

### INTRODUCTION AND SECOND READING OF BILLS.

Substitute H. B. No. 155, introduced by White, Sektnan, Holt and Bernard: A Bill for an Act entitled, "An Act to create herd districts and prevent live stock running at large in established herd districts and to provide for the fixing and collection of damages from stock trespassing within the boundaries of such districts and repealing all acts and parts of acts in conflict herewith." Read first and second time and referred to Committee on Agriculture.

H. B. No. 331, introduced by Lewis: A Bill for an Act entitled, "An Act providing for the appointment of a special agent for the office of the Attorney General, prescribing his duties, fixing his compensation, and making an appropriation for the payment of his compensation and expenses." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 332, introduced by Larse: A Bill for an Act entitled, "An Act prohibiting the herding of sheep within certain limits, and providing a penalty for the violation thereof." Read first and second time and referred to Committee on Agriculture.

H. B. No. 333, introduced by Committee on Fairs and Expositions: A Bill for an Act entitled, "An Act to amend Section One of Chapter 55 of the Session Laws of the Fourteenth Legislative Session of the State of Montana, relating to wagers." Read first and second time and referred to Committee on Fairs and Expositions.

H. B. No. 334, introduced by Andrews: A Bill for an Act entitled, "An Act to define the powers and duties of County Surveyors, to provide for their compensation, and to create the office of County Engineer in Counties of the first class." Read first and second time and referred to Judiciary Committee.

H. B. No. 335, introduced by Holt: A Bill for an Act entitled, "An Act to amend Section One, Chapter 83 of the Session Laws of the Fourteenth Legislative Assembly, entitled, 'An Act permitting stockholders of co-operative associations to vote by mail and providing for the declaring of dividends and distribution of net earnings and extending the provisions of this Act to co-operative associations heretofore incorporated.'" Read first and second time and referred to Committee on Judiciary.

H. B. No. 336, introduced by McMahon: A Bill for an Act entitled, "An Act to amend Section 175 of the Revised Codes of the State of Montana of 1907, relating to the salary of the State Auditor." Read first and second time and referred to Committee on State Boards and Officers.

H. B. No. 337, introduced by Johnson: A Bill for an Act entitled, "An Act to amend Section 186 of the Revised Codes of the State of Montana of 1907, relating to the salary of the State Treasurer." Read first and second time and referred to Committee on State Boards and Officers.

H. B. No. 338, introduced by Farmer: A Bill for an Act entitled, "An Act to amend Subdivision 4 of Section 7892 of the Revised Codes of Montana, 1907, with reference to the examination of witnesses." Read first and second time and referred to Judiciary Committee.

H. B. No. 339, introduced by Page: A Bill for an Act entitled, "An Act providing that every liquor dealer's license shall expire on December 31, 1918, and making it the duty of every County Treasurer, County Clerk, City or Town Mayor, City or Town Clerk and every City and Town Treasurer to issue such license to expire on December 31, 1918, to collect proportionately the license tax and to make reports and keep books of accounts accordingly." Read first and second time and referred to Committee on Ways and Means.

H. B. No. 340, introduced by Harmon: A Bill for an Act entitled, "An Act relative to liens for service of stallions or jacks, and providing for penalties for the violation of this Act." Read first and second time and referred to Judiciary Committee.

## READING OF SENATE BILLS.

S. B. No. 35, read first and second time and referred to Committee on Education.

S. B. No. 45, read first and second time and referred to Committee on Banks and Banking.

S. B. No. 51, read first and second time and referred to Committee on Improvements and Manufacturing.

S. B. No. 99, read first and second time and referred to Committee on Corporations other than Municipal.

S. B. No. 101, read first and second time and referred to Committee on Judiciary.

S. B. No. 102, read first and second time and referred to Committee on Judiciary.

S. B. No. 110, read first and second time at length and referred to Committee on Appropriations.

S. B. No. 112, read first and second time at length and referred to Committee on Appropriations.

S. B. No. 113, read first and second time and referred to Committee on State Boards and Officers.

S. B. No. 133, read first and second time and referred to Committee on Public Health and Sanitary Affairs.

S. B. No. 32, read first and second time and referred to Committee on Ways and Means.

## CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Junod: "An Act to amend Sections 4, 5, 7 and 9 of Chapter 147 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, 'An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof, and the management, protection and disposition of the timber growing thereon and the coal, oil and minerals therein; providing for the management and control of the funds realized from the sale and rental of State Lands and the products thereof; naming and providing for certain officers subordinate to the State Board of Land Commissioners and prescribing their duties and compensation; providing for the acquisition of water rights for use upon State lands; and defining and providing for the punishment of certain offenses for violating the provisions of this Act,' approved March 19, 1909."

By Haley: "An Act to provide for the classification of all the lands of the State of Montana, to authorize Boards of County Commissioners to cause such classification to be made, and to provide for a tax levy to pay for the cost thereof."

By Annin: "An Act to amend Section 2973 of the Revised Codes of Montana as amended by Chapter 70 of the Acts of the Fourteenth Legislative Assembly; Section 2976 of the Revised Codes of Montana; Section 3116 of the Revised Codes as amended by Chapter 112 of the Acts of the Thirteenth Legislative Assembly; Section 3119 of the Revised Codes as amended by the Acts of the Twelfth Legislative Assembly, and to repeal Section 3119a as amended, Section 3134 as amended, and Section 3134b as amended, relating to the classification of counties and fixing the salaries and compensation of county officers, the number of deputies allowed and their salaries."

By Morris: "An Act to require the several Departments and Boards of the State Government to pay all fees collected by said Departments or Boards into the General Fund of the State."

Respectfully,

J. F. CONE, Secretary of the Senate.



Senate Chamber, Helena, Montana, February 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion duly adopted, the following House Bills were this day taken from General File and re-referred to Judiciary Committee:

H. B. No. 89, by Dodds.

H. B. No. 128, by Demel and Scott.

H. B. No. 138, by Searles.

H. B. No. 143, by Bent.

H. B. No. 166, by Higgins.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 12, 1917.

Afternoon Session.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bill was this day introduced, read first and second time, and referred as follows:

S. B. No. 167, introduced by Committee on Roads and Highways: "An Act to establish a State Highway Commission, defining its powers and duties and providing for a State Highway Commission Fund, and appropriating money therefor; providing for obtaining the benefits of federal aid under the Act of Congress approved July 11, 1916, and repealing Chapter 78 of the Session Laws of the Thirtieth Legislative Assembly of the State of Montana." Referred to Committee on Roads and Highways.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day read first and second time and referred as follows:

H. B. No. 38, by Jones, entitled: "An Act to require railway companies or corporations to report delayed trains, prescribing the method thereof and providing penalties; repealing Sections 4345, 4346, 4347 and 4348 of the Revised Codes of the State of Montana, and Chapter 105, Session Laws of the Eleventh Legislative Assembly, entitled, 'An Act to require railway corporations, operators, agents or persons in charge of railroad, telegraph or telephone stations to report delayed trains, prescribing the method thereof and providing penalties.'" Referred to Committee on Railroads and Transportation.

H. B. No. 81, by Holt, entitled: "An Act providing for the installation of sanitary drinking fountains in all hotels, located in towns or cities in this State wherein a water works system has been or may hereafter be installed, and providing penalties for failure to comply herewith." Referred to Committee on Sanitary Affairs.

H. B. No. 132, by Murray, entitled: "An Act to regulate the hours of continuous employment of firemen in cities of the first and second class." Referred to Committee on Labor and Capital.

H. B. No. 152, by Ward, entitled: "An Act to amend Section 3342 of the Revised Codes of 1907, as amended by Chapter 103 of the Session Laws of 1911, relating to the amount of taxes to be assessed and levied by municipalities for general municipal and administrative purposes, and for the purpose of maintaining public parks." Referred to Committee on Counties and Towns.

H. B. No. 153, by Huffaker, entitled: "An Act authorizing cities and towns to regulate motor vehicles and to prescribe penalties for violation of such regulations." Referred to Committee on Counties and Towns.

H. B. No. 176, by Lewis, entitled: "An Act amending Section 8416 of the Revised Codes of Montana of 1907, prohibiting gambling games and providing a penalty for the violation thereof." Referred to Committee on Public Morals.

H. B. No. 182, by Ironside, entitled: "An Act to prohibit deputy State officers and other employees of the State from engaging in business that will cause unfair competition; to prevent such persons who travel at the expense of

the State from engaging in the business of purchasing, selling, storing or manufacturing articles of commerce, farm, dairy or other products, or engaging in the business of insurance, bonding, trading, manufacturing or other lines of business or occupation, save and except the duties required of them by law, and to prevent said State officers and employees from acting as agents of those who are engaged in said pursuits and industries, and to punish those who violate the provisions of this Act." Referred to Committee on Judiciary.

H. B. No. 147, by Deibel, entitled, "An Act to amend Section 9812 of the Revised Codes of 1907, of the State of Montana, relating to aiding or abetting or concealing or harboring escapes from the Montana State Industrial School." Referred to Committee on Judiciary.

H. B. No. 175, by Deibel, entitled: "An Act to amend Section 9810 of the Revised Codes of 1907, of the State of Montana, relating to release, parole, or pardon of the inmates of the Montana State Industrial School." Referred to Committee on Judiciary.

H. B. No. 195, by Brooks, entitled: "An Act to provide for the construction of a fish hatchery for the propagation of food fish and other fish in Park County, Montana, and to appropriate money therefor." Referred to Committee on Finance and Claims.

H. J. M. No. 1, by Bernard, memorializing the Congress of the United States to make an appropriation to meet the expense of making an examination of Flathead Lake with the view of controlling the waters thereof at its outlet. Referred to Committee on Federal Relations.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 165, Haley: "An Act to repeal Chapter 78 of the Thirteenth Legislative Assembly entitled an Act to establish a Montana State Highway Commission, defining its duties and powers, and providing for its compensation; providing for a State Highway Commission Fund, and appropriating money therefor." Referred to Committee on Roads and Highways.

S. B. No. 166, by Committee on Counties and Towns: "An Act for the creation and maintenance of a Bureau of Criminal Identification for the purpose of bringing about co-operation among County Attorneys, Sheriffs and Police Officers to reduce the number of criminal cases prosecuted; habitual criminals more certainly identified and fugitives from justice apprehended; also providing for a special fund for the maintenance of said Bureau, also fixing the salaries and duties of the officers thereto." Referred to Committee on Counties and Towns.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the action by which the Senate acted unfavorably on House Bill No. 98, on February 10th, was this day reconsidered and a motion adopted to recall House Bill No. 98 and refer same to the Committee on Sanitary Affairs.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Engrossed Bills reported Senate Bills Nos. 32, 35, 45, 51, 99, 101, 102, 110, 112 and 113 correctly engrossed.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 12, 1917.

Afternoon Session.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees this day reported back the following Bills with recommendations:

Committee on Printing reported Senate Bills Nos. 134, 130 and 116 correctly printed. Report adopted.

Committee on Roads and Highways reported Senate Bill No. 167, by Committee on Roads and Highways, with the recommendation that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Taxation, to whom was referred House Bill No. 161, introduced by Carll, reported same back this day with the recommendation that the Bill be concurred in.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Standing Committees reported back the following Bills with recommendations:

Committee on Printing reported Senate Bills Nos. 122, 66, 137, 118 and 147, correctly printed. Report adopted.

Committee on Roads and Highways reported Senate Bill No. 14, by Slayton, relating to County Commissioners viewing public highways, with the recommendation that the Bill do not pass. Report adopted.

Also reported Senate Bill No. 165, by Haley, relating to Montana State Highway Commission, with the recommendation that the Bill do pass. Report adopted.

Committee on Counties and Towns reported Senate Bill No. 166, introduced by the Committee on Counties and Towns, relating to a Bureau of Criminal Identification, with the recommendation that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Stock Growing, to whom was referred Senate Bill No. 21, submitted majority and minority reports, neither report adopted, and the Bill ordered printed, and placed on General File.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in House amendments to Senate Bill No. 8, introduced by Oliver.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills having this day been read three several times and passed, titles agreed to, are herewith transmitted to your Honorable Body for concurrence:

S. B. No. 32, introduced by Oliver.

S. B. No. 35, introduced by Haley.

S. B. No. 45, introduced by Kinney.

S. B. No. 51, introduced by Gallwey.

S. B. No. 99, introduced by Whiteside.

S. B. No. 101, introduced by Morris.

S. B. No. 102, introduced by Williams.

S. B. No. 110, introduced by Whiteside.

S. B. No. 112, introduced by Williams.

S. B. No. 113, introduced by Edwards.

S. B. No. 133, introduced by Joint Committee on Stock Growing and Grazing.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 12, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that His Excellency, the Governor, this day notified the Senate that he has approved the following Senate Bills:

S. B. No. 3, by Brower.

S. B. No. 60, by Burla.

Respectfully,

J. F. CONE, Secretary of the Senate.

There being no objection, Mr. Speaker reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 205, by Grimes, entitled, "An Act repealing an Act entitled an Act relating to grain elevators, grain warehouses, and places where grain is stored; establishing a State Grain Inspection Department and a Grain Grading Commission, providing for the appointment of a Chief Grain Inspector, his deputies, and other employees, prescribing their duties and powers, and fixing their salaries and terms of office; establishing licenses for conducting the business of public warehousemen, grain dealers, or track buyers; fixing the fees for inspection and weighing grain under the terms of this Act; substituting this Act for Chapter forty-seven (47) of the Laws of the Thirteenth Legislative Assembly, and repealing said Chapter forty-seven (47), but continuing the validity of the appointment of officers, bond executed, and licenses issued thereunder, approved March 8, 1915, and to continue in force all rights and obligations and liabilities which might have accrued during the existence of said law or laws of which the same may have been amendatory," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 139, by Farmer, a Bill for an Act to amend Section 73 of Chapter 120 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, "An Act to regulate the operation of all coal mines in the State of Montana, to provide for their inspection and the qualifications of inspectors and certain other employees of coal mines and to codify all laws with reference to the operation of all coal mines in the State of Montana, repealing Sections 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710 and 2023 of the Revised Codes of the State of Montana and Chapters 64 and 65 of the Laws of 1909," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 191, by McMahon, entitled, "An Act relating to and providing for the inspection of boilers and the regulation of the use thereof, the examination and licensing of engineers, the revocation of such licenses, devolv-



ing upon the Industrial Accident Board the powers and duties of the inspector of boilers and the assistant inspector of boilers, providing for the performance of the duties of said inspectors by said Industrial Accident Board and by inspectors to be appointed by it, abolishing the offices of inspector of boilers and of assistant inspector of boilers, and repealing laws in conflict herewith," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Davis, from the Committee on Agriculture, reported as follows:

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 296, introduced by Holt and Johnston of Ravalli, a Bill for an Act entitled, "An Act providing for the extermination of gophers and prescribing the manner in which the expenses of exterminating the same shall be paid," report same back to the House with the recommendation that it do pass, amended as follows: That line 20 in Section 3 of said Bill be amended to read "Six Dollars" instead of "Twenty Dollars."

Report adopted and Bill referred to Printing Committee.

Davis, from the Committee on Agriculture, reported as follows:

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 132, introduced by Joint Committee on Stock Growing and Grazing, a Bill for an Act entitled, "An Act to consolidate the Board of Stock Commissioners and the Board of Sheep Commissioners, and to create a Board to be known as the Live Stock Commission, and to provide for the appointment and qualification of its members and prescribing their duties, and creating a fund to be known as the Live Stock Commission Fund, and to repeal Sections 1782, 1783, 1784, 1785, 1786, 1787, 1788 and 1789 of the Revised Codes of Montana of 1907, relating to the Board of Stock Commissioners and Sections 1854, 1855, 1856, 1857, 1858, 1859, 1860 and 1861 of the Revised Codes of Montana of 1907, relating to the appointment and duties of the Board of Sheep Commissioners," report same back to the House with the recommendation that it do pass."

Report adopted and Bill placed on General Orders.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred Senate Bill No. 83, introduced by Edwards, being an Act to provide for the preservation, collection and publication of historical facts of the early settlement of the State of Montana, after having said Bill under consideration, beg leave to report same back to the House with the recommendation that it be concurred in."

Report adopted and Bill placed on General Orders.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 123, introduced by Henderson, beg leave to report same back as correctly enrolled.

Report adopted.

Baxter: I move that Substitute H. B. No. 155, which was referred to the Agriculture Committee, be referred to the Printing Committee.

Motion carried.

Mr. Speaker notified the House that he was about to sign H. B. No. 123, and signed same in the presence of the House.

On motion of McMahon, House resolved itself into a Committee of the Whole for the consideration of General Orders.

#### GENERAL ORDERS.

Harbert in the Chair.

House resumed.

Mr. Speaker in the Chair.

Harbert, from the Committee of the Whole, reported as follows:

Mr. Speaker: We, your Committee of the Whole, having had under con-

sideration H. B. No. 221, by Husser, entitled, "An Act to amend Section 3618 of the Revised Codes of the State of Montana; providing for a marriage license fee of two (\$2.00) dollars to be paid into the State Board of Health Maintenance Fund, and authorizing the Auditor to draw his warrant for claims against this fund," report same back to the House with the recommendation that Section 1 thereof be amended by inserting in line 13, after the word "health," the words "after such money shall have been regularly appropriated," and that as amended Bill do pass.

Also, having had under consideration H. B. No. 192, by McMahon, entitled, "An Act relating to and providing for the inspection and regulation of mines of all kinds, in the State of Montana, devolving upon the Industrial Accident Board the powers and duties of the coal mine inspector and of the inspector of mines, providing for the performance of the duties of said inspectors by the said Industrial Accident Board, and by inspectors to be appointed by it, abolishing the offices of inspector of mines and coal mine inspector, and repealing laws in conflict herewith," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 239, by Stimpert, entitled, "An Act prohibiting unfair competition or discrimination in the buying, selling, production, manufacturing or distribution of any commodity or product in general use and providing a penalty for the infraction of the provisions thereof, and providing that complaint may be made to the Attorney General of any violation of this Act by any corporation and requiring the Attorney General to forthwith investigate such complaint and to prosecute such corporation if the facts ascertained by him warrant such prosecution and providing for the annulment by the Court of the Charter of any corporation found guilty of unfair competition or discrimination," report same back to the House with the recommendation that same be amended by striking out all of Section 2, and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 145, by Duffy, entitled, "An Act to provide for the placing of dimmers on lights of all electric or motor driven vehicles, and motorcycles," report same back to the House with the recommendation that Section 3 thereof be amended by inserting after the word "headlights" in line 3, the words "or searchlights," and by inserting in line 9, after the word "headlights," the words "and extinguish his searchlight."

That Section 7 thereof be amended by striking out said section and inserting in lieu thereof the words: "This Act shall take effect and be in force from and after June 1, 1917," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 245, by Duffy, entitled, "An Act providing how many times per week orders, rules, summons and notices of all kinds shall be published when not otherwise prescribed," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 247, by Kemmis, entitled, "An Act to provide for a high school tax and to provide for high school instruction in all counties not having county high schools," report same back to the House with the recommendation that Section 1 thereof be amended by inserting in line 8, after the word "money" the word "required," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 240, by Charles Andersen, entitled, "An Act to amend paragraph 601, Chapter 6, of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, by adding the study of elementary agriculture to the course of study prescribed for elementary schools," report same back to the House with the recommendation that it do pass.

Also, having had under consideration Senate amendments to House Bill No. 72, by Bernard, entitled, "An Act to prohibit the driving, placing or imbedding of spikes, nails, or other metallic substances, stone or rock, in saw logs intended for manufacture into lumber or other timber products, and prescribing

the penalty therefor," report same back to the House with the recommendation that Senate amendments be not concurred in.

Also, having had under consideration S. B. No. 63, by Dwight, entitled, "An Act to amend Section 1600 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, providing for the method of selecting, purchasing, exchanging or selling of school house sites in school districts of the third class, and relating to school house sites in general," report same back to the House with the recommendation that it be not concurred in.

Also, having had under consideration S. B. No. 19, by Burlingame, entitled, "An Act providing for service of process and notices upon domestic and foreign corporations, and to repeal Chapter 22 of the Laws of 1915," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 10, by Annin, entitled, "An Act to amend Section 11 of Chapter 50 of the Session Laws of the Thirteenth Legislative Assembly relative to the establishment of a Board of Examiners for nurses and providing for the issuance of a license or certificate of registration to persons engaged in the profession of nursing the sick," report same back to the House with the recommendation that line 16 of Section 1 thereof be amended to read, "three registered nurses and three registered physicians;" and that, as amended, Bill be concurred in.

Also, having had under consideration S. B. No. 95, by Slayton, entitled, "An Act to amend Section 8492 of the Revised Codes of Montana, 1907, relative to the sale of carcasses of animals affected with an infectious contagious disease," report same back to the House with the recommendation that it be concurred in.

Harbert: I move the adoption of the report.

Belden: As a substitute, I move that the report be adopted with the exception of Senate Bills Nos. 10 and 63, and that they be segregated from the report and re-referred to General Orders.

Substitute motion carried.

Mr. Speaker notified the House that he was about to sign S. J. R. No. 3, Substitute S. B. No. 41, and Senate Bills Nos. 65, 27 and 31, and signed same in the presence of the House.

Lusk: I move that a conference committee of three be appointed to confer with a like committee of the Senate, on the Senate amendments to H. B. No. 72. Motion carried.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 23, 42, 127 and 29, beg leave to report same back as correctly engrossed as to Senate amendments.

Report adopted and Bills referred to Enrolling Committee.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 230, 246, 130, 231, 171, 104 and House Joint Memorial No. 6, and Senate Bill No. 11, beg leave to report same back as correctly printed.

Report adopted.

On motion of Searles, House recessed at 12:30 until 2:00 P. M.

#### AFTERNOON SESSION.

House reassembled at 2:00 P. M.

Mr. Speaker in the Chair.

There being no objection, Speaker reverted to Second Order of Business.

#### NOTICES OF BILLS.

By McClory: "An Act appropriating the sum of one thousand three hundred and seventy dollars or so much thereof as may be necessary to pay the claim of Sylvan Murray for sheep which was killed or died from defective dipping, dipped by the authority of the State of Montana."

By Farmer: "An Act directing the County Treasurer of each County in

this State to collect license tax of the owners and exhibitors of moving picture shows, making exhibits in any city or town of the State; and authorizing cities to collect a similar or less tax, repealing Chapter 81 of the Session Laws of the 13th Legislative Assembly of the State of Montana, 'An Act providing that no license shall be required for moving picture shows in places having a population not exceeding one thousand five hundred.'

By Hathaway: "An Act to require school boards to provide fire escapes on all school buildings of more than one story in height."

By Huffaker: "An Act to amend Chapter 123 of the Session Laws of the 14th Legislative Assembly of the State of Montana, entitled, 'An Act empowering County Commissioners to create and establish special improvement districts in thickly populated localities outside the limits of incorporated towns and cities, for the purpose of constructing sanitary and storm sewers, installing lights and such other special improvements, that may be petitioned for by sixty per cent (60%) of the freeholders affected by the same,' and authorizing such freeholders to hold a public meeting and elect three supervisors to such improvement district which said supervisors shall select a clerk to keep their records and said supervisors to have full charge of such improvement districts."

By Stimpert: "An Act relating to the survey or resurvey of lands within the State of Montana, in which the U. S. land surveys are involved and providing the manner of marking same, the marking of corners, and the making and filing of plats and field notes of such surveys or resurveys."

By Larse: "An Act to provide for the payment of grazing license fee on sheep entering the State of Montana from other states and territories, and providing a penalty for the violation thereof."

By White: "An Act to amend Section 9745 of the Revised Codes of 1907, relating to the compensation of sheriffs for delivering prisoners at the State prison."

By White: "An Act to amend Section 4213 of the Revised Codes of 1907, relating to the certificate of incorporation of co-operative associations, and the fee of the Secretary of State for issuing such certificate."

By White: "An Act to amend Section 165 of the Revised Codes of 1907, relating to the fees of the Secretary of State."

By White: "An Act to amend Section 4 of Chapter 80, of the Session Laws of the Twelfth Legislative Assembly, relating to the fee of the Secretary of State for issuing a license to sell coal."

By White: "An Act to amend Section 4331 of the Revised Codes of 1907, relating to the certificate of an agent of a transportation company authorizing such agent to sell tickets, and the license issued by the Secretary of State to such agent."

By White: "An Act to repeal Chapter 37 of the Session Laws of the Fourteenth Legislative Assembly, relating to filing fees paid by foreign corporations to the Secretary of State."

By White: "An Act to amend Section 3850 of the Revised Codes of 1907, relating to the filing of annual statements by corporations."

By Holt: "An Act amending the co-operative corporation law."

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bills have been delivered to His Excellency, the Governor: February 13, 1917, at 10:40 A. M., House Bills Nos. 76 and 113; House Joint Memorial No. 5.

There being no objection, Mr. Speaker reverted to First Order of Business.

#### COMMUNICATIONS AND PETITIONS.

A telegram was received from Audrey P. Maguire, President of the Good Government Club of Basin, Montana, urging the passage of House Bill No. 88, relating to a State Vocational School for Girls.

There being no objection, Mr. Speaker reverted to Fourth Order of Business.



## REPORTS OF STANDING COMMITTEES.

Weil, from the Committee on Privileges and Elections, reported as follows:

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration House Bill No. 288, introduced by Eliel, a Bill for an Act entitled, "An Act to repeal the law to provide for party nominations by direct vote, enacted by the people of the State of Montana at the general election held in November, 1912, also providing for the submission of the question of the repeal of said Act to the people at the general election held in November, 1918," respectfully beg leave to report as follows: That we recommend that H. B. No. 288 do pass.

Report adopted and Bill referred to Printing Committee.

Weil, from the Committee on Privileges and Elections, reported as follows:

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 7, introduced by Senator Lane, "An Act dividing the State into two Congressional districts and amending Section 47, Montana Revised Codes, 1907," respectfully beg leave to report as follows: That we recommend that Senate Bill No. 7 be concurred in.

Report adopted and Bill placed on General Orders.

Prosser, from the Committee on Public Utilities, reported as follows:

Mr. Speaker: Your Committee on Public Utilities and State Commissions, having had under consideration House Bill No. 280, by Kelsey, a Bill for an Act providing for the regulation of construction and control of certain public utilities, requiring such public utilities to obtain certificates from the Public Service Commission, beg leave to report back that such Bill be indefinitely postponed. Report adopted.

There being no objection, Mr. Speaker reverted to Sixth Order of Business.

## MOTIONS AND RESOLUTIONS.

Farmer: I move a reconsideration of H. B. No. 209.

On motion of Lusk, seconded by fifteen members, a call of the House was ordered and the following members were found to be absent: Crowley, Fuller, Henderson, Rainey, Spain. On motion of Lusk, call of the House was suspended.

Lusk: I move that the motion to reconsider H. B. No. 209 be laid upon the table.

Roll call being demanded, resulted in the following vote:

Ayes: Arneson, Baldwin, Baxter, Bent, Bernard, Booth, Buell of Missoula, Buell of Gallatin, Burnworth, Carll, Crismas, Davis, Deibel, Dodds, Eaton, Fishbaugh, Gould, Griffin, Gullidge, Harbert, Harmon, Hawks, Henderson, Higgins, Huffaker, Hurd, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kemmis, Lanstrum, Larse, Lusk, McClory, McMillan, McQuarrie, Middleton, Morrow, Page, Phelps, Quaintance, Rasmussen, Sand, Scott, Sektan, Shaw, Weil, White—49.

Noes: Andersen (Charles), Anderson (Oscar W.), Ashby, Ball, Belden, Blake, Blodgett, Brooks, Buchanan, Clark, Connolly, Cotter, Crowley, Cutts, Demel, Duffy, Eliel, Farmer, Fuller, Grimes, Hathaway, Hawks, Holt, Husser, Ironside, Jensen, Kehoe, Kelsey, Lemmon, Lewis, McDonald, McMahon, Mason, Morris, Murray, O'Brien, Prosser, Searles, Stimpert, Ward, Wheat, Working—42.

Absent and not voting: Andrew, Rainey, Spain; Mr. Speaker present but not voting—4.

Motion to lay on table carried.

There being no objection, Mr. Speaker reverted to Fifth Order of Business.

## INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 341, introduced by Sand: A Bill for an Act entitled, "An Act establishing the Eastern Montana State Normal School, defining the objects of its establishment, providing for the control, supervision and management thereof, changing the name of the State Normal College located at Dillon, Montana, and making an appropriation for the construction of the necessary buildings

and the support and maintenance thereof." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 342, introduced by McClory: A Bill for an Act entitled, "An Act appropriating the sum of eight thousand dollars or so much thereof as may be necessary to pay the claim of Michael Hasquet for sheep which were killed or died from defective dipping, dipped by the authority of the State of Montana." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 343, introduced by McClory: A Bill for an Act entitled, "An Act to provide for the construction of side tracks and spurs to elevators, warehouses, flouring mills, storage buildings and manufacturing plants and to provide for the location upon the right of way of any railroad company of any elevators, warehouses, flouring mills, storage buildings or manufacturing plants and to provide for construction of side tracks between stations and fixing a penalty for the violation of the provisions of this Act and repealing Section 7 of Chapter 43 of the Thirteenth Legislative Assembly of the State of Montana." Read first and second time and referred to Committee on Corporations other than Municipal.

H. B. No. 344, introduced by McClory: A Bill for an Act entitled, "An Act to provide and regulate the method of determining the amount of dockage for waste to be allowed in all cases of disagreement between the buyer and seller as to the amount thereof, and to provide penalties for the violation thereof." Read first and second time and referred to Judiciary Committee.

### THIRD READING OF SENATE BILLS.

S. B. No. 19, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—90.

Noes: None.

Absent and not voting: Andrew, Fuller, Gould, Rainey, Spain—5.

Title agreed to and Bill returned to Senate.

S. B. No. 95, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, White, Working—84.

Noes: Bernard, Buell of Missoula, McQuarrie, Quaintance, Ward, Wheat—6.

Absent and not voting: Andrew, Johnston of Ravalli, Rainey, Spain; Mr. Speaker present but not voting—5.

Title agreed to and Bill returned to Senate.

On motion of Mason, House resolved itself into a Committee of the Whole for the consideration of General Orders.

## GENERAL ORDERS.

Buell of Gallatin in the Chair.

House resumed.

Mr. Speaker in the Chair.

Buell of Gallatin, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 58, by Jones, entitled, "An Act to create the County of Wheatland, designate its boundaries, and provide for its organization and government, and to change the boundaries of Meagher and Sweet Grass Counties to conform thereto," report same back to the House with the recommendation that the same be amended by striking out all of Section 18, and that as amended Bill be concurred in.

Also, having had under consideration S. B. No. 11, by Edwards, entitled, "An Act to require the establishment, maintenance and operation of a public market house or market space at the county seats of the counties of Gallatin, Park, Sweet Grass, Stillwater, Yellowstone, Carbon, Big Horn, Rosebud, Custer, Fallon, Prairie, Dawson, Wibaux, Richland, Sheridan, Valley, Phillips, Blaine, Hill, Chouteau, Fergus, Musselshell, Meagher and Teton, and to permit the establishment, maintenance and operation thereof at the county seats of the other counties of the State of Montana, providing for the supervision and control thereof, and for the acquiring of property for the purpose of carrying out the provisions of this Act, and penalties for the violation thereof," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 76, by Oliver, entitled, "An Act to create the County of Sykes, designate its boundaries, provide for its organization and government and to change the boundaries of Fallon County to conform thereto," report same back to the House with the recommendation that the same be amended by striking out the word "Sykes" wherever it occurs in the title and body of the Bill and inserting in lieu thereof the word "Carter"; by striking out all of Section 14 and renumbering Section 15 as Section 14; and that, as amended, Bill be concurred in.

Also, having had under consideration H. B. No. 230, by Gullidge, entitled, "An Act to change the dates upon which the school year shall begin and end, and the dates upon which certain public school reports shall be rendered," report same back to the House with the recommendation that the title thereof be amended by adding the words "Amending Sections 302, 508, 512, 607, 803, 2010 of Chapter 76, of the Laws of the Thirteenth Legislative Assembly of the State of Montana," and that as amended the same do pass. Report adopted.

On motion of Husser, House resolved itself into a Committee of the Whole for the consideration of General Orders.

## GENERAL ORDERS.

McMahon in the Chair.

House resumed.

Mr. Speaker in the Chair.

McMahon, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 246, by Eaton, entitled, "An Act defining mileage that may be collected by witnesses from another State or Country," report same back to the House with the recommendation that same be amended by adding Section 3, to read as follows: "Section 3. This Act shall be in full force and effect from and after the first day of April, 1917"; and that as amended Bill do pass.

Also, having had under consideration H. B. No. 130, by Kehoe, entitled, "An Act to provide for the licensing of architects and regulating the practice of architecture as a profession in the State of Montana," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 231, by Blodgett, entitled, "An Act to amend Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, said Chapter 112 being 'An Act to amend Sections 2957 and 3116 of the Revised Codes of Montana of 1907, entitled, An Act enumerating county officers and fixing the compensation of such officers according to classification of counties,'" report same back to the House with the recommendation that it do not pass.

Also, having had under consideration H. B. No. 171, by Committee on Fairs and Expositions, entitled, "An Act to amend Sections 2927, 2928, 2930, 2931 and 2932 of the Revised Codes of Montana, 1907, and Section 2929 of the Revised Codes of Montana, 1907, as amended by Section 3 of Chapter 30 of the Laws of the Twelfth Legislative Assembly of the State of Montana, relating to county fairs in counties of the State, appointing a Fair Commission by the County Commissioners, defining the duties and compensation of such Fair Commissioners, providing for a tax, and appropriating of money for the purchase, holding and improving of lands for the maintenance of a County Fair, providing for the disbursement of such moneys, to provide for county exhibits at the State Fair and making the County Treasurer ex-officio the Treasurer of such County Fair Association; repealing Sections 1 and 2 of Chapter 30 of the Twelfth Session Laws of Montana and repealing Chapter 124 of the Laws of the Thirteenth Legislative Assembly of the State of Montana," report same back to the House with the recommendation that Section 6 thereof be amended by striking out the balance of line 49 after the words "County Treasurer"; strike out all of line 50; in line 51, commencing at the beginning of the line, strike out all of the line up to the comma preceding the word "and"; after the word "Treasurer" strike out the balance of line 51; in line 52, strike out the beginning of the line up to the word "on," and that as amended Bill do pass.

Also, having had under consideration H. B. No. 104, by Grimes, entitled, "An Act appropriating money to the County of Silver Bow as a refund for money erroneously collected and paid into the State Treasury," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. J. M. No. 6, by Harbert, entitled, "Memorial to the Congress of the United States to amend the Ferris Bill so as to prevent the tying up of the public domain to the prejudice of actual homesteaders," report same back to the House with the recommendation that it do not pass. Report adopted.

On motion of Mason, House reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 192, 239, 245, 145, 221, 240 and 247, beg leave to report same back as correctly engrossed.

Report adopted and Bills placed on Calendar for Third Reading.

Ward, from the Committee on Libraries, reported as follows:

Mr. Speaker: We, your Committee on Libraries, having had under consideration House Bill No. 102, by Ward, entitled, "A Bill for an Act entitled, 'An Act to amend Sections 1, 3, 4 and 5 and to repeal Section 12, Chapter 45, of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, relating to county libraries,'" beg leave to report that the same be amended as follows:

Strike out in line 2 of Section 1, the words "electors of a county, voting at the last general election," and insert in lieu thereof the words "resident taxpayers whose names appear upon the last assessment roll of the county."

Add, in line 7 of said Section 2, the words "provided, that, from and after the creation and organization of a State Board of Library Examiners, no person shall be eligible to the office of county librarian unless, prior to his appointment, he has received from said Board of Library Examiners a certificate of qualification for the office."



Insert, after the word "effect," the words "sixty days," in Section 7.

And, as amended, that the same do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 329, by Ball, entitled, "An Act creating and providing for county athletic commissions in counties of the first class and regulating boxing and sparring contests in counties of the first class in the State of Montana," respectfully beg leave to report as follows: That the same do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 305, by Committee on Affairs of Cities, entitled, "An Act relating to the regulating of common carriers of passengers upon public streets, roads and highways, providing for the issuance of permits, and prescribing penalties for violation," respectfully beg leave to report as follows: That the same do pass.

Report adopted and Bill referred to Printing Committee.

Ward, from the Committee on Libraries, reported as follows:

Mr. Speaker: We, your Committee on Libraries, having had under consideration House Bill No. 302, by Lewis, a Bill for an Act entitled, "An Act to provide for the creation of a Board of Library Examiners, prescribing the duties of said Board and making an appropriation for the maintenance thereof," beg leave to recommend that same do pass, and that it be printed and re-referred to Committee on Appropriations.

Report adopted and Bill referred to Printing Committee.

Ward, from the Committee on Libraries, reported as follows:

Mr. Speaker: We, your Committee on Libraries, having had under consideration House Bill No. 181, by Page, a Bill for an Act entitled, "An Act to amend Section 1 of Chapter 45 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, 'An Act to provide for library extension through the establishment and maintenance of County free libraries,'" beg leave to report and recommend that the same do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 272, by Mason, a Bill for an Act entitled, "An Act providing for a code commissioner, the appointment of same, the date of said appointment and his term and oath of office; the division of the codes and indexing of same, the matters to be included therein; the identification of the Statutes, the powers and compensation of said commissioner, the annotation and form of publication of said codes; the contract for the printing of same, the bond of contractor, the disposition of said Revised Codes and providing an appropriation for same," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration S. B. No. 114, by Slayton, a Bill for an Act entitled, "An Act to amend Sections 6449 and 6450 of the Revised Codes of the State of Montana of 1907, relating to the time of commencing actions other than for the recovery of real estate," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration S. B. No. 73, by Burla, a Bill for an Act entitled, "An Act to provide for the appointment of a custodian for the State Capitol, fixing his term of office, defining his duties, powers and authority, and to repeal Section 157, Ar-

ticle 5, Chapter 3 of the Political Code of the State of Montana," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration S. B. No. 88, by Gallwey, a Bill for an Act entitled, "An Act to repeal Section 9 of Chapter 73 of the Laws of the Thirteenth Legislative Assembly concerning the regulation of motor vehicles by local authorities," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration S. B. No. 135, by Morris, a Bill for an Act entitled, "An Act to create the Eighteenth Judicial District of the State of Montana, to be composed of the Counties of Hill and Blaine, and to provide and designate the powers, duties, term and compensation of the judges of said Eighteenth Judicial District and to provide that the Twelfth Judicial District of the State of Montana shall hereafter embrace the territory within the County of Chouteau," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 327, by Lanstrum, a Bill for an Act entitled, "An Act to amend Section 2763 of the Revised Codes of the State of Montana," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 292, by Shaw, a Bill for an Act entitled, "An Act to provide for the classification of all privately owned lands in the State of Montana by the various county assessors of the State," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration S. B. No. 104, by Gallwey, a Bill for an Act entitled, "An Act to prohibit any person from knowingly buying, selling, receiving, disposing or having in his possession any automobile, motor car or motor vehicle from which the manufacturer's serial number, or any other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed, for the purpose of concealment or misrepresenting the identity of such automobile, motor car or motor vehicle, and providing punishment for the violation of the provisions hereof," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration S. B. No. 85, by Smith, a Bill for an Act entitled, "An Act relating to the powers and duties of justices of the peace and fixing their compensation," respectfully beg leave to report as follows: That same be reported back to the House with the following amendments:

Amend Senate Bill No. 85 by inserting the following: After Section 1, add, in line 1, "Justices of the Peace in townships having a population of one thousand people and not exceeding three thousand people shall each receive a salary

of Six Hundred Dollars per annum, payable monthly from the county treasury; Justices of the Peace in townships having a population of three thousand people and not exceeding seven thousand people shall each receive a salary of One Thousand Dollars per annum, payable monthly from the county treasury; Justices of the Peace in townships having a population of seven thousand people and not exceeding ten thousand people shall each receive a salary of Twelve Hundred Dollars per annum, payable monthly from the county treasury."

After "1907" in line 11, of Section 1, add "provided, however, that the provisions of this Section shall not apply to any township which does not embrace an incorporated city or town containing a population of one thousand or more."

Strike out the word "ten" in line 2, Section 1, and insert in lieu thereof the word "one."

Strike out the word "ten" in line 15 of Section 1, and insert in lieu thereof the word "seven."

Strike out the word "ten" in line 2 of Section 2, and insert in lieu thereof the word "one."

And that, as amended, Bill be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration S. B. No. 64, by Dwight, a Bill for an Act entitled, "An Act to amend Subdivision 8 of Section 508 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the purchasing of school sites and the building and removal of school houses," respectfully beg leave to report as follows: That it be reported back to the House with the following amendments:

Amend the title by striking out in lines one and two, after the words "An Act to amend," the words and figures "Subdivision 8 of."

Amend Section 1, line 1, by striking out after the word "that" the words and figure "Subdivision 8 of."

Insert in Section 1, line 5, after the word and figures "Section 508," the following:

"DUTIES. Every school board unless otherwise specially provided by law shall have power and it shall be its duty:

1. To prescribe and enforce rules not inconsistent with law, or those prescribed by the Superintendent of Public Instruction for their own government of schools under their supervision.

2. To employ or discharge teachers, mechanics, or laborers, and to fix and order paid their wages; provided, that no teacher shall be employed except under resolution agreed to by a majority of the board of trustees at a special or regular meeting, not unless such teacher be the holder of a legal teacher's certificate in full force and effect. All contracts of employment of teachers, authorized by proper resolution of a Board of Trustees, shall be in writing and executed in duplicate by the chairman and clerk of the Board for the district and by the teacher.

3. To determine the rate of tuition of non-resident pupils.

4. To fix the compensation of the clerk.

5. To enforce the rules and regulations of the Superintendent of Public Instruction for the government of schools, pupils, and teachers and to enforce the course of study.

6. To provide for school furniture and for everything needed in the school house or for the use of the School Board.

7. To rent, repair and insure school houses."

Amend Section 1, line 10, by inserting the letter "s" after the word "freeholder."

Insert in Section 1, line 18, after the word "election" the following:

"9. To hold in trust for their district all real or personal property for the benefit of the school thereof.

10. To suspend or expel pupils from school who refuse to obey the rules

thereof, and to exclude from school children under six years of age where the interest of the school requires such exclusion.

11. To provide books, clothing and medical aid for indigent children when it shall be made to appear that such aid is needed.

12. To require pupils to be furnished with suitable books as a condition of membership in school.

13. To exclude from school and school libraries, all books, tracts, papers and other publications of immoral and pernicious nature.

14. To require teachers to conform to the law.

15. To make an annual report, as required by law, to the county superintendent on or before the first day of October, in each year, in the manner and form and on the blanks prescribed and furnished by the Superintendent of Public Instruction.

16. To make a report directly to the Superintendent of Public Instruction whenever instructed by him to do so.

17. To determine what branches, if any, in addition to those required by law, shall be taught in any school in the district, subject to the approval of the County Superintendents in districts of the third class.

18. To visit every school in their district at least once in each term and to examine carefully into its management, conditions and needs. This clause applies to each of the trustees.

19. To provide separate privies or outhouses for the use of the sexes at all school houses, where the same do not exist, and to see that the same are kept in good repair, and in a clean condition. Such privies or outhouses must be located and built in such manner as to secure privacy. In all cases where there is no fence dividing the play yards of the sexes, the privies or outhouses herein named shall be separate and distinct buildings, and situated at least twenty feet apart, and to require that all teachers and janitors use due care in keeping all toilets in good repair and in clean condition and free from obscenity; provided, that any trustee or trustees, teacher, janitor or janitors, failing to comply with the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding one hundred dollars or imprisoned in the county jail not exceeding ninety days or both such fine and imprisonment in the discretion of the court.

20. To allow pupils residing in other districts to attend school in the district of which they have charge if in their judgment there is sufficient room.

21. To procure by purchase or donation and to cause to be displayed daily in suitable weather, an American flag, with accompanying necessary fixtures, for each and every school house in their respective districts. Said flags shall be of dimensions not less than four by six feet and shall be made from durable material. The school trustees are hereby authorized and empowered to use such portion of the school funds as remain in their hands and which is not otherwise appropriated for the purchase and erection of fixtures.

22. To close school at their discretion during the annual session of the State Teachers' Association, and to allow teachers to attend the same without loss of salary."

And that, as amended, Bill be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 307, by Prosser, a Bill for an Act entitled, "An Act to establish a uniform tax on certain classes of personal property; providing for the manner of listing such personal property; providing the time when such listing shall be filed with the county assessor; providing for the manner of filing such listing by the assessor on default of the property owner and providing a penalty thereof; providing for the entry of the assessment and the review thereof by the Board of Equalization and providing for the computation of said taxes and providing for the manner of the collection of said taxes and the distribution



thereof," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration S. B. No. 48, by Stevens, a Bill for an Act entitled, "An Act to amend Sections 24, 25, 26, 27, 28, 30, 31, 33, 34, 39, 40, 42, 45, and to repeal Sections 23, 29, 32, 34, 36, 37, 38, 41, 43, 44, and to repeal Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 46 of Chapter 93 and to repeal Chapter 71 of the laws, resolutions and memorials of the State of Montana passed by the Fourteenth Session of the Legislative Assembly and to add a new Section providing for the continuation of all bonds, licenses and receipts given or issued pursuant to the provisions of said Chapter," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

There being no objection, Mr. Speaker reverted to Fifth Order of Business.

### INTRODUCTION AND SECOND READING OF BILLS.

Gould was granted unanimous consent to introduce a Bill without previous notice.

H. B. No. 345, introduced by Gould: A Bill for an Act entitled, "An Act to license certain corporations for the exclusive use and benefit of the State of Montana, fixing the license fee for engaging in business and providing a method of collecting such license fee, and repealing Section 2773 of the Revised Codes of the State of Montana of 1907 as amended by the Act approved March 1, 1911, entitled, 'An Act to amend Section 2773 of the Revised Codes of the State of Montana of 1907 and Sections 2774 and 2777 of the Revised Codes of Montana of 1907.'" Read first and second time and referred to Committee on Ways and Means.

H. B. No. 346, introduced by Grimes: A Bill for an Act entitled, "An Act to amend Section 168 of the Revised Codes of the State of Montana of 1907, relating to the salary of the Secretary of State." Read first and second time and referred to Committee on Judiciary.

H. B. No. 347, introduced by Johnston of Ravalli: A Bill for an Act entitled, "An Act providing for the destruction of Canada thistles, Scotch bull thistles; prescribing the duties of road supervisors in relation to the same; providing the manner in which the expense of such destruction shall be paid; and repealing Sections 8871, 8872, 8873 and 8874 of the Revised Codes of 1907." Read first and second time and referred to Committee on Agriculture.

H. B. No. 348, introduced by Kemmis: A Bill for an Act entitled, "An Act making all places where intoxicating liquors are manufactured, sold or given away in violation of the law, common nuisances and providing for the punishment for the maintaining, for the abatement thereof, and providing for the seizure and destruction of such intoxicating liquors and fixtures." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 349, introduced by Gould: A Bill for an Act entitled, "An Act providing a method for the assessment and collection of a license fee on express companies doing business in this State." Read first and second time and referred to Committee on Ways and Means.

On motion of Lemmon, House adjourned at 5:20 P. M. until 10:30 A. M. Wednesday, February 14, 1917.

J. F. O'CONNOR, Speaker.  
C. H. TREACY, Chief Clerk.

## FORTY-FIFTH DAY

Wednesday, February 14, 1917.

House met at 10:30 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present; Rainey, Spain, Jones and Bent excused.

Inside, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the forty-fourth day and find the same to be correct.

Report adopted.

## NOTICES OF BILLS.

By McQuarrie: "An Act to provide for the pasteurization of skimmed milk or separator slop before being used for live stock feeding purposes and providing penalties for the violation thereof."

By Andersen (Charles): "An Act to amend Sections 3 and 4 of Chapter 110, Laws of the Twelfth Legislative Assembly of Montana; to provide for the strict regulation of itinerant vendors, hawkers, peddlers and other transients who attempt to do business in Montana, and to regulate the issuance of their licenses by grading said licenses, and to prescribe the manner of their application to do business in the counties of the State."

By Arneson: "An Act relating to school teachers giving school boards notice of resignation and providing for penalties for violation thereof."

By Belden: "An Act construing, interpreting and settling ambiguities or doubt arising from the provisions of Section 4044, Revised Codes of Montana, 1907, relating to the amount of the capital stock of insurance corporations other than life insurance corporations; and Section 4050, Revised Codes of Montana, 1907, as amended by Chapter 48, of the Session Laws of the Twelfth Legislative Assembly of the State of Montana relating to the classification of insurance corporations, granting certain powers thereunder and providing certain restrictions and exceptions in connection therewith; and Section 4062, Revised Codes of Montana of 1907, as amended by Chapter 37 of the Session Laws of the Thirteenth Legislative Assembly relating to the manner in which insurance companies, associations, or partnerships may transact business in the State of Montana, and relating to the capitalization of such insurance companies, both foreign and domestic."

By Murray: "An Act relating to advertising by dentists, and providing penalties for violation thereof."

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 23, 29, 42 and 127, beg leave to report same back as correctly enrolled. Report adopted.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 259, 261, 91 and 135, beg leave to report that same have been correctly printed.

Report adopted and Bills placed on General Orders.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 23, 29, 42 and 127, and signed same in the presence of the House.

## REPORTS OF STANDING COMMITTEES.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 339, introduced by Page, entitled, "An Act providing that every liquor dealer's license shall expire on December 31, 1918, and making it the duty of every County Treasurer, County Clerk, City or Town Mayor, City or Town Clerk, and every City and Town Treasurer, to issue such license

to expire on December 31, 1918, to collect proportionately the license tax and to make reports and keep books on accounts accordingly," respectfully beg leave to report as follows: That the Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration Senate Bill No. 32, introduced by Oliver, entitled, "An Act regulating the casing of oil and gas wells, and the mode of plugging the same when abandoned," respectfully beg leave to report as follows: That the Bill be reported back with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 349, introduced by Gould, a Bill for an Act entitled, "An Act providing a method for the assessment and collection of a license fee on express companies doing business in this State," respectfully beg leave to report as follows: That the Bill be printed and returned to the Committee.

Report adopted and Bill referred to Printing Committee.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 345, introduced by Gould, being a Bill for an Act entitled, "An Act to license certain corporations for the exclusive use and benefit of the State of Montana, fixing the license fee for engaging in business and providing a method of collecting such license fee, and repealing Section 2773 of the Revised Codes of the State of Montana of 1907, as amended by the Act approved March 1, 1911, entitled, 'An Act to amend Section 2773 of the Revised Codes of the State of Montana of 1907 and Sections 2774 and 2777 of the Revised Codes of Montana of 1907,'" recommend that the Bill be printed and returned to the Committee.

Report adopted and Bill referred to Printing Committee.

#### INTRODUCTION AND SECOND READING OF BILLS.

Gould and Mason were granted unanimous consent to introduce Bills without previous notice.

H. B. No. 350, introduced by Crowley: A Bill for an Act entitled, "An Act relating to funeral, burial and benefit associations and declaring them to be insurance corporations." Read first and second time and referred to Committee on Public Health and Sanitary Affairs.

H. B. No. 351, introduced by Gould: A Bill for an Act entitled, "An Act providing a method for the assessment and collection of a license fee on private car companies doing business in this State." Read first and second time and referred to Committee on Ways and Means.

H. B. No. 352, introduced by Mason: A Bill for an Act entitled, "An Act relating to the State Board of Equalization, defining its powers and prescribing its duties; making an appropriation therefor; and repealing Sections 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591 and 2592 of the Revised Codes of Montana, 1907." Read first and second time at length and referred to Judiciary Committee.

H. B. No. 353, introduced by Belden: A Bill for an Act entitled, "An Act appropriating the sum of four thousand eight hundred dollars, or so much thereof as may be necessary to pay the claims of the duly elected delegates to the Democratic, Republican and Progressive national conventions held in the year 1916." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 354, introduced by Farmer: A Bill for an Act entitled, "An Act directing the County Treasurer of each county in this State to collect a license tax of the owners and exhibitors of moving picture shows making exhibits in any city or town of the State; and authorizing cities to collect a similar or

less tax; repealing Chapter 81 of the Session Laws of the 13th Legislative Assembly of the State of Montana, 'An Act providing that no license shall be required for moving picture shows in places having a population not exceeding one thousand five hundred.'" Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 355, introduced by Larse: A Bill for an Act entitled, "An Act to provide for the payment of grazing license fee on sheep entering the State of Montana from other states or territories, and providing a penalty for the violation thereof." Read first and second time and referred to Committee on Livestock and Public Ranges.

H. B. No. 356, introduced by Phelps: A Bill for an Act entitled, "An Act to provide for the destruction of noxious weeds, providing for the destruction of same by county commissioners and arranging for the assessment of the cost of same against the land, also defining the duties of County Commissioners relative to the destruction of all weeds growing upon the highways in the county." Read first and second time and referred to Committee on Highways.

H. B. No. 357, introduced by Mason and Shaw: A Bill for an Act entitled, "An Act enumerating noxious weeds, providing for their summary destruction and the method whereby such destruction shall be accomplished; fixing the duties of the Board of County Commissioners, Road Supervisors, County Attorney, Auditor and Treasurer in that behalf; and repealing Sections 8871, 8872, 8873 and 8874 of Part I, Title XVI, Chapter II of the Revised Codes of Montana, 1907." Read first and second time and referred to Committee on Highways.

H. B. No. 358, introduced by Scott: A Bill for an Act entitled, "An Act to amend Section 1291 of the Revised Codes of Montana, 1907, as amended by Chapter 93 of the Laws of the Thirteenth Legislative Assembly relating to the admission into the State Home of wives or widows of soldiers and sailors." Read first and second time and referred to Committee on Judiciary.

H. B. No. 359, introduced by Huffaker: A Bill for an Act entitled, "An Act to amend Chapter 123 of the Session Laws of the 14th Legislative Assembly of the State of Montana, entitled, 'An Act empowering county commissioners to create and establish special improvement districts in thickly populated localities outside the limits of incorporated towns and cities, for the purpose of constructing sanitary storm sewers, installing lights and such other special improvements that may be petitioned for by sixty per cent (60%) of the freeholders affected by the same,' and authorizing such freeholders to hold a public meeting and elect three supervisors to such improvement district, which said supervisors shall elect a clerk to keep their records and said supervisors to have full charge of such improvement district." Read first and second time and referred to Committee on Public Health and Sanitary Affairs.

H. B. No. 360, introduced by Booth: A Bill for an Act entitled, "An Act to amend Section 6388 of Part I, Title V, of the Revised Codes of Montana, 1907, relating to practicing law without a license and prescribing a penalty therefor." Read first and second time and referred to Judiciary Committee.

H. B. No. 361, introduced by Hurd: A Bill for an Act entitled, "An Act to establish public highways along section lines and to provide for the opening and working of the same." Read first and second time and referred to Committee on Highways.

H. B. No. 362, introduced by Harmon: A Bill for an Act entitled, "An Act to amend Section 203 of the Session Laws of the Thirteenth Legislative Assembly, 1913, relating to the salary and expenses of the Superintendent of Public Instruction." Read first and second time and referred to Committee on Education.

H. B. No. 363, introduced by Stimpert: A Bill for an Act entitled, "An Act relating to the survey or re-survey of lands within the State of Montana, in which the United States land surveys are involved and providing the manner of marking same, the making of corners, and the making and filing of plats and field notes of such surveys or re-surveys." Read first and second time and referred to Committee on State Boards and Officers.

H. B. No. 364, introduced by Stimpert: A Bill for an Act entitled, "An



Act to amend Sections 500, 501, 502, 503, 504, 505, 510 and 512 of the Revised Codes of Montana of 1907, relating to judges and clerks of election and ballot boxes." Read first and second time and referred to Judiciary Committee.

H. B. No. 365, introduced by Fishbaugh: A Bill for an Act entitled, "An Act to provide for uniform names of postoffices and railway stations in the State of Montana and empowering the Board of Railroad Commissioners of the State of Montana to change the names of railway stations within the State of Montana having similar names and providing a penalty for failure to conform to the order of such Board." Read first and second time and referred to Committee on Corporations other than Municipal.

H. B. No. 366, introduced by Middleton: A Bill for an Act entitled, "An Act to provide for the disqualification of judges in criminal cases." Read first and second time and referred to Committee on Judiciary.

H. B. No. 367, introduced by Middleton: A Bill for an Act entitled, "An Act to require the admission of the genuineness of papers and documents material to civil actions." Read first and second time and referred to Judiciary Committee.

#### READING OF SENATE BILLS.

S. B. No. 106, read first and second time at length and referred to Committee on Appropriations.

S. B. No. 139, read first and second time and referred to Committee on Judiciary.

#### MOTIONS AND RESOLUTIONS.

Kelsey: I move that H. B. No. 280 be reinstated, printed and placed on General Orders. Motion carried.

Prosser: I move that H. B. No. 268 be printed and placed on General Orders. Motion carried.

#### CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE.

The following communication was received from His Excellency, the Governor:

Executive Office, February 13, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise you that I have this day approved the following House measures:

H. B. 76, defining the boundaries of Silver Bow County.

H. B. 113, exempting licensed embalmers and undertakers from jury duty.

H. J. M. 5, memorializing Congress to submit a prohibition amendment.

S. V. STEWART, Governor.

The following communications were received from the Senate:

February 13, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notices of Bills were this day given:

By Hogan: "An Act to amend Section 8 of Article XIX of the Constitution of the State of Montana relating to the calling of a convention to revise, alter or amend the Constitution and providing for the manner of the election of members of such convention and the time and place of meeting thereof; also providing for a submission to the electors of the State of such revisions, alterations or amendments to the Constitution as may be proposed by said Constitutional Convention. Also providing a manner of calling a Constitutional Convention through the initiative vote of the people of the State of Montana."

By Kane: "An Act to create the office of State Horticultural Commissioner, defining his powers and duties, providing for the appointment of inspectors, and defining their powers and duties; providing for the inspection of nursery stock, fruit, fruit trees, ornamental trees, shrubbery, plants, cuttings, grafts, buds, scions, seeds, pits, vines and all horticultural and agricultural plants and plant products thereof; requiring shippers of nursery stock to have same inspected by an inspector; prescribing quarantine and the methods employed thereunder; providing for the disinfection of fruit, fruit trees, ornamental

trees and shrubbery, and all horticultural and agricultural plants and plant products; providing for the destruction of infected or infectious fruit, fruit trees, ornamental trees, shrubbery, and all horticultural and agricultural plants and plant products thereof, providing methods of enforcing the same, and prescribing compensation for those enjoined to enforce the provisions of this Act, and for their removal from office; to provide for the appropriation of money to pay the necessary expenses of the conduct of the State Horticultural Commission, and repealing all laws in conflict herewith."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 13, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of Bill was this day given:

By O'Shea: "An Act relating to the liabilities, restrictions and duties of foreign corporations licensed to do business in the State of Montana."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 13, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Printing reported Senate Bills Nos. 71, 56, 97, 107, 87, 156, 165 and 108 correctly printed. Report adopted.

Committee on Engrossed Bills reported Senate Bill No. 139 correctly engrossed. Report adopted.

Committee on Roads and Highways reported Senate Bill No. 170, introduced by the Committee on Roads and Highways, with the recommendation that the Bill do pass. Report adopted.

Committee on Education reported Senate Bill No. 93, introduced by Oliver, with the recommendation that the Bill be amended and as amended recommend that the Bill be reprinted and for passage. Report adopted.

Also reported Senate Bill No. 149, introduced by Morris, with the recommendation that the Bill do pass. Report adopted.

Also reported Senate Bill No. 44, introduced by Hurd, with the recommendation that the Bill be indefinitely postponed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 13, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Election and Privileges reported Senate Bill No. 171, introduced by Committee on Election and Privileges, relating to United States Senators, with the recommendation that the Bill do pass. Report adopted.

Committee on Public Lands (majority) reported Senate Bill No. 47, introduced by Whiteside, relating to the recording of land titles, with the recommendation that the Bill be amended and as amended that the Bill do pass. Majority report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 13, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Judiciary reported Senate Bill No. 160, introduced by Jones, entitled, "An Act to provide for the validation of certain instruments and records which have heretofore been filed, recorded or made in the State of Montana," with the recommendation that the same do pass. Report adopted.

Also reported Senate Bill No. 158, introduced by Smith, entitled, "An Act

to provide for an annual convention of County Assessors, and to provide for the time and place of said convention, and to provide for the payment of the actual expenses of Assessors in attending said convention," with the recommendation that the Bill be indefinitely postponed. Report adopted.

Also reported Senate Bill No. 127, introduced by Jones, entitled, "An Act to provide for the revision and recompilation of the Laws of the State of Montana," with the recommendation that the same do pass. Report adopted.

Also reported Senate Bill No. 129, introduced by Roberts, entitled, "An Act to amend Section 4 of Chapter 82 of the Session Laws of 1913, concerning the practice of veterinary medicine," with the recommendation that the Bill be amended and that the Bill as amended do pass. Report adopted.

Also reported Senate Bill No. 75, introduced by Annin, relating to prohibition, with the recommendation that the Bill be amended and that as amended the Bill do pass.

Committee on Banks and Banking reported Senate Bill No. 1, introduced by Brower, relating to interest, with the recommendation that it be indefinitely postponed. Report adopted.

Also reported Senate Bill No. 123, introduced by Jones, relating to banks, with the recommendation that the same be indefinitely postponed. Report adopted.

Committee on Roads and Highways reported Senate Bill No. 28, introduced by Meadors, relating to special road districts, with the recommendation that the Bill be amended and that as amended the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 13, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Counties and Towns reported House Bill No. 133, introduced by Farmer, with the recommendation that the Bill be concurred in. Report adopted.

Committee on Banks and Banking reported House Bill No. 10, introduced by Mason, relating to interest, by submitting majority and minority reports. The majority report recommended that the Bill be indefinitely postponed. Report adopted. Bill is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 13, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 168, Junod: "An Act to amend Sections 4, 5, 7 and 9 of Chapter 147 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, 'An Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof, and the management, protection and disposition of the timber growing thereon and the coal, oil and mineral therein; providing for the management and control of the funds realized from the sale and rental of State lands and the products thereof; naming and providing for certain officers subordinate to the State Board of Commissioners and prescribing their duties and compensation; providing for the acquisition of water rights for use upon State lands; and defining and providing for the punishment of certain offenses for violating the provisions of this Act.' Approved March 19, 1909." Referred to Committee on Judiciary.

S. B. No. 169, Banks and Banking Committee: "An Act to amend Sections 9, 11 and 51 of Chapter 89, Acts of the Fourteenth Legislative Assembly of the State of Montana, being an Act entitled, 'An Act regulating the business of banking; providing for the creation and regulation of banking corporations;

creating the Department of Banking and prescribing the duties and fixing the salaries of its officers and employees and repealing Title 2, Part IV of Division 1 of the Civil Codes of Montana, entitled, "Banks, and Banking," being the provisions of Section 2909 to 4015, both numbers inclusive, Revised Codes of Montana, 1907, and all Acts amendatory thereof,' and to add six new sections thereto to be numbered 16A, 16B, 16C, 16D, 16E, all relating to the business of banking and the Department of Banking." Referred to Committee on Banks and Banking.

S. B. No. 170, Committee on Roads and Highways: "An Act to amend Chapters I, II, III and IV of Chapter 141 of the Laws of the Fourteenth Legislative Assembly, the same being known as the General Highway Law, relating to the classification and permanent improvement of public highways." Referred to Committee on Roads and Highways.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 13, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 171, Committee on Election and Privileges: "An Act to amend Section 637 of the Revised Codes of the State of Montana of 1907 as amended by Section 1 of Chapter 126 of the Session Laws of 1915 relating to the election and appointment of United States Senators in Congress." Referred to Committee on Elections and Privileges.

S. B. No. 172, Haley: "An Act to provide for the classification of all the lands of the State of Montana, to authorize Boards of County Commissioners to cause such classification to be made and to provide for a tax levy to pay for the cost thereof." Referred to Committee on Taxation.

S. B. No. 173, Mershon: "An Act to amend Section 508 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana relating to the powers and duties of School Trustees." Referred to Committee on Education.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 13, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second time and referred as follows:

H. B. No. 196, by Judiciary Committee, relating to exceptions. Referred to Judiciary Committee.

H. B. No. 149, by Baldwin, relating to flouring mills. Referred to Committee on Judiciary.

H. B. No. 211, by Lewis, relating to gambling, etc. Referred to Committee on Public Morals.

H. B. No. 168, by Baxter, relating to banking corporations. Referred to Committee on Banks and Banking.

H. B. No. 194, by Huffaker, relating to notice of application for tax deeds. Referred to Committee on Judiciary.

H. B. No. 121, by Ward, relating to policemen. Referred to Committee on Counties and Towns.

H. B. No. 193, by Griffin, relating to the pollution of the water supply. Referred to Committee on Sanitary Affairs.

H. B. No. 183, by Anderson, relating to County Treasurers. Referred to Judiciary Committee.

H. B. No. 106, by Morrow, relating to the investment of capital. Referred to Committee on Banks and Banking.

H. B. No. 198, by Belden, relating to licenses for contractors, builders, etc. Referred to Committee on Agriculture and Manufactures.



H. B. No. 217, by Murray, relating to salary of clerks. Referred to Committee on Judiciary.

H. B. No. 90, by Ashby, relating to satisfaction of a judgment. Referred to Committee on Finance and Claims.

H. B. No. 216, by Deibel, relating to dairies and dairy farms. Referred to Committee on Dairies and Dairying.

H. B. No. 208, by Judiciary Committee, relating to service of notices. Referred to Judiciary Committee.

H. B. No. 107, by Morrow, relating to the investment of capital of trust companies. Referred to Committee on Banks and Banking.

H. B. No. 137, by Working, relating to surveying, platting, etc., of any city or addition to any city or town. Referred to Committee on Counties and Towns.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 13, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills, having this day been read three several times and passed, title agreed to, are herewith transmitted to your Honorable Body for concurrence:

S. B. No. 139, introduced by Joint Committee on Stock Growing.

S. B. No. 106, introduced by Stevens.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 13, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following Bills:

S. B. No. 27, introduced by Clark.

S. B. No. 65, introduced by Healy.

S. B. No. 31, introduced by Oliver.

Sub. S. B. No. 41, introduced by Burla.

S. J. R. No. 3, introduced by Hogan.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 13, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following measures:

H. J. M. No. 5, introduced by Hathaway.

H. B. No. 76, introduced by O'Brien.

H. B. No. 113, introduced by Ward.

Respectfully,

J. F. CONE, Secretary of the Senate.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bills have been delivered to His Excellency, the Governor: February 14, 1917, at 11:00 A. M., House Bills Nos. 23, 29, 42, 123 and 127.

### THIRD READING OF SENATE BILLS. "

On motion of Baxter, seconded by fifteen members, a call of the House was ordered and the following members were found to be absent: Andrew, Ashby, Baldwin, Ball, Bent, Blodgett, Brooks, Connolly, Davis, Deibel, Henderson, Larse, Lusk, Phelps, Rainey, Spain, Ward. The following members appeared upon the floor of the House: Ashby, Ball, Brooks, Connolly, Davis, Henderson, Larse, Phelps, Ward, and on motion of Baxter, call of the House was suspended.

S. B. No. 58, having been read three several times, was concurred in as amended by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Bald-

win, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Cutts, Davis, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Prosser, Rasmussen, Sand, Searles, Stimpert, Ward, Weil, White, Working—71.

Noes: Arneson, Buell of Gallatin, Crismas, Demel, Dodds, Gould, Griffin, Harmon, Higgins, Holt, Page, Phelps, Quaintance, Scott, Sektnan, Shaw, Wheat—17.

Absent and not voting: Blodgett, Deibel, Jones, Lusk, Rainey, Spain; Mr. Speaker present but not voting—7.

Title agreed to and Bill returned to Senate for concurrence in House amendments.

S. B. No. 76, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Cutts, Davis, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Prosser, Sand, Searles, Stimpert, Ward, Weil, White, Working—66.

Noes: Arneson, Buell of Gallatin, Crismas, Demel, Dodds, Gould, Griffin, Harmon, Henry, Higgins, Holt, Kelsey, Page, Phelps, Quaintance, Rasmussen, Scott, Sektnan, Shaw, Wheat—20.

Absent and not voting: Bent, Blodgett, Deibel, Husser, Jones, Lusk, Rainey, Spain; Mr. Speaker present but not voting—9.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 11, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Stimpert, Weil, White, Working—74.

Noes: Arneson, Clark, Higgins, Holt, Page, Shaw—6.

Absent and not voting: Anderson (Oscar W.), Bent, Blodgett, Deibel, Henderson, Husser, Jones, Lemmon, Lusk, Rainey, Rasmussen, Spain, Ward, Wheat; Mr. Speaker present but not voting—15.

Title agreed to and Bill returned to Senate.

### ▪ THIRD READING OF HOUSE BILLS.

H. B. No. 192, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lewis, McClory, McDon-

ald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, White, Working—78.

Noes: Baldwin, Crismas, Holt, Page—4.

Absent and not voting: Bent, Blodgett, Deibel, Henderson, Husser, Jones, Lemmon, Lusk, Rainey, Rasmussen, Spain, Wheat; Mr. Speaker present but not voting—13.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 239, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, Wheat, White—77.

Noes: Andrew, Grimes, Page—3.

Absent and not voting: Baxter, Bent, Blodgett, Cutts, Deibel, Farmer, Henderson, Johnston of Ravalli, Lusk, Rainey, Rasmussen, Spain, Ward, Working; Mr. Speaker present but not voting—15.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 245, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White—81.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Bent, Blodgett, Cutts, Deibel, Eliel, Farmer, Henderson, Jones, Lusk, Rainey, Spain, Working; Mr. Speaker present but not voting—14.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 145, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White—85.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Bent, Blodgett, Deibel, Henderson, Jones, Lusk, Rainey, Working; Mr. Speaker present but not voting—10.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 221, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Ball, Blake, Buell of Gallatin, Buchanan, Carll, Connolly, Cotter, Crismas, Davis, Demel, Dodds, Eaton, Eliel, Gould, Griffin, Grimes, Harbert, Harmon, Hathaway, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, McClory, McMahon, McMillan, Mason, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Sand, Scott, Searles, Sektan, Stimpert, Weil, Wheat—54.

Noes: Baldwin, Baxter, Bernard, Booth, Brooks, Buell of Missoula, Burnworth, Clark, Fishbaugh, Fuller, Gullidge, Hawks, Higgins, Johnston of Ravalli, Larse, Lewis, McQuarrie, Middleton, Phelps, Shaw, Ward—21.

Absent and not voting: Anderson (Oscar W.), Andrew, Belden, Bent, Blodgett, Crowley, Cutts, Deibel, Duffy, Farmer, Henderson, Jones, Lusk, McDonald, Rainey, Rasmussen, Spain, White, Working; Mr. Speaker present but not voting—20.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 240, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Stimpert, Ward, Weil, Wheat, White—85.

Noes: None.

Absent and not voting: Blodgett, Deibel, Farmer, Henderson, Jones, Lusk, Rainey, Spain, Working; Mr. Speaker present but not voting—10.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 249, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Stimpert, Ward, Weil, Wheat—76.

Noes: McQuarrie—1.

Absent and not voting: Anderson (Oscar W.), Andrew, Bent, Blodgett, Deibel, Eliel, Farmer, Harbert, Henderson, Jones, Lusk, McClory, McDonald, Rainey, Spain, White, Working; Mr. Speaker present but not voting—18.

Title agreed to and Bill transmitted to Senate for concurrence.

There being no objection, Mr. Speaker reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 230, 171, 104, 246 and 130, beg leave to report same back as correctly engrossed.

Report adopted and Bills placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:



Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 150, by Griffin, a Bill for an Act entitled, "An Act to regulate the manner of sales of real estate under a power of sale in mortgages providing for redemption therefrom and providing a method of ascertainment of attorney fees when property is sold under mortgage by virtue of a power of sale therein contained, and to repeal all Acts and parts of Acts in conflict herewith," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 227, by Lewis, entitled, "An Act to provide for the appointment of the district judges throughout the State of Probate Commissioners, and to provide for assistance to relieve the District Courts of the State from overburdened condition of probate calendars," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration S. B. No. 92, a Bill for an Act entitled, "An Act to amend Section 3032 of the Montana Revised Codes of 1907, enumerating the instruments to be recorded by the County Clerk and Recorder and the manner of recording the same," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 237, by Andersen (Charles), entitled, "An Act to amend Section 6551 of the Revised Codes of Montana of 1907, to-wit, of the Code of Civil Procedure, so as to provide for the pleading by any defendant of a cross-complaint against any of the other parties to the suit as well as new parties, for the issuance of summons thereon and the service of summons and cross-complaint, for pleading thereon, and against delays in connection therewith, and other purposes," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 203, by Crowley, a Bill for an Act entitled, "An Act relating to and providing for the inspection of dairies and for the regulation of same, devolving upon the State Live Stock Sanitary Board the duties of the State Dairy Commissioner and his deputies, providing for the performance of the duties of the said State Dairy Commissioner and his deputies by said Live-stock Sanitary Board by inspectors to be appointed by it, and abolishing the office of State Dairy Commissioner and Deputy Dairy Commissioners, and repealing laws in conflict herewith," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 276, by Cotter, entitled, "An Act to amend Section 23a of Chapter 140 of the laws enacted by the Twelfth Legislative Assembly of the State of Montana, and to add a new section to said Chapter 140, to be numbered Section 23b, concerning the valuation of benefit certificates of fraternal benefit societies in force upon a basis designated 'accumulation basis,' prescribing the method of arriving at such valuation, and the financial condition which such societies shall maintain, and conferring certain powers upon and prescribing certain duties to be performed by the State Commissioner of Insurance,"

respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. Nos. 100, by Hathaway and Mason, and 46, by Murray, a Bill for an Act entitled, "An Act relating to a mother's pension and the care of dependent children, etc.," respectfully beg leave to report as follows: That said Bills Nos. 100 and 46 be reported back to the House with the recommendation that the Substitute Bill hereto attached be substituted therefor and that said Substitute Bill do pass.

Report adopted and Substitute Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. J. M. No. 8, by Kemmis and Anderson, a resolution memorializing Congress for the passage of necessary legislation to authorize the Northern Pacific Railway Company to relinquish certain lands in the State of Montana in favor of bona fide settlers thereon and to select other lands in the State of Montana in lieu thereof," respectfully beg leave to report as follows: That it be recommended back to the House that it be amended as follows: In paragraph 4, line 1, after the words "railway company" change the word "has" to the word "claim" and as amended it be recommended that it do pass.

Report adopted and Memorial referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration S. B. No. 33, by Stevens, a Bill for an Act entitled, "An Act to require railroad or railway corporations to clean and cooper box cars placed for loading grain or other commodities subject to loss by leakage, and providing a penalty for non-compliance with the provisions of this Act," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be amended as follows: In Section 3, line 19, after the word "used" that the words "providing that such charge shall in no case exceed five (\$5.00) dollars for each car so coopered," be added, and as amended it be reported back with the recommendation that it do pass.

Report adopted and Bill placed on General Orders.

Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, to whom was referred House Bill No. 291, introduced by Eaton, entitled, "An Act to amend Section 201, Revised Codes of 1915, of the State of Montana, to change the name of rural school inspector to rural school supervisor and to provide for two rural school supervisors," report same back with the recommendation that same be amended as follows, to-wit: We recommend House Bill No. 291 be amended so that the title will read as follows: A Bill for an Act entitled, "An Act to amend Section 201 of Chapter 2 of Chapter 76 of the Session Laws of 1913 of the State of Montana, relating to the official staff of the Superintendent of Public Instruction, by changing the name of rural school inspector to rural school supervisor, and to provide for two rural school supervisors."

And that Section 1 be amended to read:

"Section 1. That Section 201 of Chapter 2 of Chapter 76 of the Session Laws of 1913 of the State of Montana be amended to read as follows:

Section 201. General Powers. Paragraph 1. He shall have the general supervision of the public schools of the State.

Official Staff. Paragraph 2. The Superintendent of Public Instruction shall have power to appoint one deputy who shall receive an annual salary of twenty-one hundred dollars, two rural school supervisors at a salary of twenty-one hundred dollars each, and two clerks at an annual salary of twelve hundred dollars each. Such deputy, rural school supervisors and clerks shall perform such duties pertaining to the office as the Superintendent may direct."

And that, as amended, that it be re-referred to the Committee on Appropriations.

Report adopted and Bill referred to Committee on Appropriations.

Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, to whom was referred House Bill No. 225, introduced by Harmon, entitled, "An Act to amend Sections 1803 and 1805 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to contracts for supplying basal and supplementary text books," report same back with the recommendation that it be amended as follows, to-wit: By adding the words "elementary agriculture" after the word "advanced" in line 9, paragraph one, page 2 of original Bill, and that as amended, Bill do pass.

Report adopted and Bill referred to Printing Committee.

Davis, from the Committee on Agriculture, reported as follows:

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 263, introduced by Harbert, Holt, Mason and White, a Bill for an Act entitled, "An Act providing for the safe investment of the State permanent common school funds, and all other permanent State educational, charitable and penal institution funds in the securities herein designated; for the prompt collection of interest thereon; providing a method of procedure in making said investments to guard and protect such funds; and prescribing the duties and obligations of the various officers of the State in making said investments, and repealing all laws and parts of laws in conflict herewith," report same back to the House with the recommendation that it do pass, amended as follows:

After the word "lands" in line 31 of Section 4 of said Bill, insert "not to exceed \$7500.00 to any one person, firm or corporation."

That Sections Six (6) and Seven (7) be stricken from said Bill entirely.

After the word "shall" in line 11 of Section 8 of said Bill insert the following, "accompany his application blank with a fee of one per cent (1%) of the amount of the loan asked for from the State; provided, however, that not less than ten dollars (\$10.00) and not more than \$25.00 accompany said application blank, and shall."

That Section Thirteen (13) be stricken from said Bill entirely, and that all Sections of said Bill be renumbered accordingly.

That after Section Nineteen (19) of said Bill the following Section be inserted: "Section 20. If any sentence or clause in this Act shall, for any reason, be held invalid or inoperative, the remaining parts of this Act shall not therefore be deemed invalid or inoperative; it being the intention of the Legislative Assembly, hereby expressly declared, to enact each sentence, section, and clause of this Act irrespective of whether or not any one or more of the sections, sentences or clauses herein be found to be inoperative or invalid."

That all Sections of this Bill be renumbered in accordance with the amendments herewith submitted.

Report adopted and Bill referred to Printing Committee.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 250, 164 and 219, beg leave to report same have been correctly printed.

Report adopted and Bills placed on General Orders.

H. B. No. 230, having been read three several times, was passed by the following vote:

Ayes: Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Cutts, Demel, Dodds, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quintance, Rasmussen, Sand, Scott, Searles, Sektan, Spain, Stimpert, Weil, Wheat, White, Working—73.

Noes: None.



Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Baldwin, Blake, Blodgett, Crismas, Davis, Deibel, Duffy, Farmer, Grimes, Henderson, Hurd, Johnston of Ravalli, Jones, Lanstrum, Lusk, McClory, Rainey, Shaw, Ward; Mr. Speaker present but not voting—22.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 130, having been read three several times, was passed by the following vote:

Ayes: Andrew, Ashby, Ball, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Larse, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Scott, Searles, Sektnan, Shaw, Ward, Weil—68.

Noes: Arneson, Gould, Page, Wheat—4.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Baldwin, Bent, Blodgett, Cotter, Deibel, Eliel, Henderson, Higgins, Johnston of Ravalli, Jones, Lanstrum, Lemmon, Lusk, Rainey, Rasmussen, Sand, Spain, Stimpert, White, Working; Mr. Speaker present but not voting—23.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 171, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Ball, Baxter, Belden, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Scott, Searles, Shaw, Ward, Weil, Wheat—70.

Noes: Arneson, Page, Sektnan—3.

Absent and not voting: Anderson (Oscar W.), Baldwin, Bent, Blodgett, Cotter, Cutts, Davis, Deibel, Eliel, Henderson, Johnston of Ravalli, Jones, Lanstrum, Lusk, Rainey, Rasmussen, Sand, Spain, Stimpert, White, Working; Mr. Speaker present but not voting—22.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 104, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Scott, Searles, Sektnan, Shaw, Ward, Weil, Wheat, White—74.

Noes: None.

Absent and not voting: Baldwin, Belden, Bent, Blodgett, Cotter, Cutts, Davis, Deibel, Eliel, Henderson, Johnston of Ravalli, Jones, Lanstrum, Lusk, Rainey, Rasmussen, Sand, Spain, Stimpert, Working; Mr. Speaker present but not voting—21.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 246, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby,



Ball, Baxter, Bernard, Blake, Booth, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Scott, Searles, Sektinan, Shaw, Ward, Weil, Wheat, White, Working—73.

Noes: Buell of Missoula, McQuarrie—2.

Absent and not voting: Baldwin, Belden, Bent, Blodgett, Cotter, Cutts, Davis, Deibel, Henderson, Henry, Johnston of Ravalli, Jones, Lanstrum, Lusk, Rainey, Rasmussen, Sand, Spain, Stimpert; Mr. Speaker present but not voting—20.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of McMahon, House recessed at 12:25 P. M. until 2:00 P. M.

#### AFTERNOON SESSION.

House resumed at 2:00 P. M.

Mr. Speaker in the Chair.

There being no objection, Mr. Speaker reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 179, introduced by Belden, being a Bill for an Act entitled, "An Act to establish a State Normal School at Lewistown, Montana, which shall be known as the Central Montana State Normal School, to make the same a part of the Montana University and providing for its regulation, location and control; making appropriation for its equipment and maintenance and to provide for the necessary buildings for the same, and amending Sub-Section (1) of Section 106 and Sub-Section (2), Subdivision (b) of Section 108 of Chapter 76 of the Laws of the Thirteenth Session of Montana," having had said Bill under consideration, beg leave to report same back to the House with the following amendment:

Amend Section 12 of said Bill by striking out the words "the sum of (\$25,000) twenty-five thousand dollars for each year" in lines five and six thereof, and inserting in lieu thereof the words "five thousand (\$5,000.00) dollars for the year ending March 1, 1917, and fifteen thousand (\$15,000.00) dollars for the year ending March 1, 1918," and as so amended that said Bill do pass.

Report adopted and Bill referred to Printing Committee.

The following minority report was received from the Committee on Appropriations:

Mr. Speaker: We, a minority of your Committee on Appropriations, to whom was referred House Bill No. 179, introduced by Belden, being an Act entitled, "An Act to establish a State Normal School at Lewistown, Montana, which shall be known as the Central Montana State Normal School, to make the same a part of the Montana University and providing for its regulation and control, making appropriation for its equipment and maintenance and to provide for the necessary buildings for the same, and amending Sub-Section (1) of Section 106 and Sub-Section (2) Subdivision (1b) of Section 108 of Chapter 76 of the Laws of the Thirteenth Session of Montana," after having said Bill under consideration beg leave to report same back to the House with the recommendation that it do not pass.

(Signed) M. SEKTNAN,  
M. S. GOULD,  
RONALD HIGGINS.

Minority report not adopted.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under

consideration House Bill No. 333, entitled, "An Act to amend Section One of Chapter 55 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, relating to wagers," respectfully beg leave to report as follows: That the same do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 348, by Kemmis, entitled, "An Act making all places where intoxicating liquors are manufactured, sold or given away in violation of the law, common nuisances, and providing for the punishment for the maintaining of the same, and providing for the abatement thereof and providing for the seizure and destruction of such intoxicating liquors and fixtures," respectfully beg leave to report as follows: That the same do pass.

Report adopted and Bill referred to Printing Committee.

Lemmon, from the Committee on Corporations Other Than Municipal, reported as follows:

Mr. Speaker: We, your Committee on Corporations Other Than Municipal, having had under consideration House Bill No. 235, by Sand, a Bill for an Act entitled, "An Act to amend Section 4416 of the Revised Codes of the State of Montana, relating to the annual statement of foreign corporations and joint stock companies, and to amend Section 1 of Chapter 140 of the Laws of the Eleventh Legislative Assembly of the State of Montana, recommend that the same do not pass.

Report adopted.

Larse, from the Committee on Railroads and Transportation, reported as follows:

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 126, by Jensen, a Bill for an Act entitled, "An Act to amend Section 4312 of the Revised Codes of the State of Montana, 1907, relating to the penalty for failure to keep record of stock killed or injured by railway companies as provided for in Section 4311," respectfully beg leave to report as follows: That same do pass.

Report adopted and Bill referred to Printing Committee.

Larse, from the Committee on Railroads and Transportation, reported as follows:

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 282, by Bernard, a Bill for an Act entitled, "An Act requiring railway companies to provide and maintain stock-yards at certain railway stations in the State of Montana, and to provide for the convenience therein for feeding and watering stock and providing for a penalty for any violation thereof," respectfully beg leave to report as follows: That this Bill be amended as follows, to-wit: Section 2, line 4, after the word "stock" add the following words, "where such water is reasonably available," and that, as amended, same do pass.

Report adopted and Bill referred to Printing Committee.

Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration H. B. No. 229, by Gullidge, entitled, "An Act to amend Sections 800, 900, 903, 905, 906, 907, 908, 909 and 910, to repeal Section 108 and Subdivision 7 of Section 106, and to add a new Section to be known as Section 911 of Chapter 76 of the Session Laws of 1913, providing for the certification of public school teachers, and establishing the State Board of Educational Examiners, and establishing the teachers' certificate fund, and providing for the expenditure of the same," report same back to the House with the recommendation that it do pass as amended, to-wit:

Amend Section 3 (page 4 of the original Bill) by striking out the paragraph beginning in line 8 with the words "It shall be" and ending in line 13 with the word "therein."

Amend Section 3 (page 4 of the original Bill) by striking out in paragraph

(b) beginning in line 22 with the words "the board" and ending with the word "therein." Page 5, line 3.

Amend Section 3 (page 5 of the original Bill) by striking out in paragraph (c) beginning in line 13 with the words "the board" and ending with the word "therein," in line 15.

Report adopted and Bill referred to Printing Committee.

There being no objection, Mr. Speaker reverted to Second Order of Business.

#### NOTICES OF BILLS.

By Cutts: "An Act creating a budget system for the control of all public expenditures."

By Kemmis: "An Act permitting additional assessments by water users' associations in cases where the benefits of previous assessments have not accrued to the lands assessed, and providing for discharge of such previous assessments, and that all such additional assessments shall be equitable."

By Eaton: "An Act creating the office of State Dental Surgeon, prescribing the powers and duties of the incumbent of such office and providing compensation therefor."

By Shaw: "An Act to amend Section 2957 of the Revised Codes of the State of Montana of 1907, as amended by Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly, relating to the enumeration of county officers, and Section 3100 of the Revised Codes of the State of Montana of 1907, relating to the creation of the office of County Auditor within certain counties in the State of Montana."

By Farmer: "An Act to amend Sub-Section 19 of Section 3159 of the Revised Codes of the State of Montana, 1907, relating to the powers of city and town councils."

By Anderson (Oscar): "An Act to establish a game preserve in the South Moccasin mountains, Fergus County, Montana, for the protection of game animals and game birds, and providing penalties for the pursuing, hunting or killing of such animals or birds in such preserve."

By Anderson (Oscar): "An Act providing that where there are two or more voting places in one voting precinct in any county of this State that the registered voter may designate at which voting place he desires to vote, and directing the county clerk to make such change on the books and lists of the county."

By Middleton: "An Act to regulate and limit the fees of sheriffs in actions for the foreclosure of mortgages."

By Kemmis: "An Act to amend Section 2001 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly."

By Cutts: "An Act to amend Chapter 73 of the Session Laws of 1913, relating to the licensing and regulating of motor driven vehicles."

No objection being offered, Mr. Speaker reverted to Fifth Order of Business.

#### INTRODUCTION AND SECOND READING OF BILLS.

On motion, Ingalls was granted permission to withdraw H. B. No. 88 and introduce a substitute Bill without previous notice.

Arneson was granted unanimous consent to introduce a Bill without previous notice.

H. B. No. 368, introduced by Farmer: A Bill for an Act entitled, "An Act to amend Section 4349 of the Revised Codes of 1907, relating to passenger rates to be charged by railroads within the State of Montana and the disposition of fines collected for the violation thereof, and repealing Section 4350 of the Revised Codes of 1907." Read first and second time and referred to Committee on Railroads and Transportation.

H. B. No. 369, introduced by Lewis: A Bill for an Act entitled, "An Act requiring all persons, associations, companies and corporations, maintaining, operating or conducting hotels, rooming houses or lodging houses to first obtain a license therefor, providing for the manner of the issuance of such licenses, the

period for which they shall be issued, and the fees therefor, and providing penalties for violation thereof." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 370, introduced by Holt: A Bill for an Act entitled, "An Act to create the State Hail Insurance Department of the State of Montana, making the State Auditor and ex-officio Commissioner of Insurance also Commissioner of Hail Insurance; prescribing the manner in which such hail insurance shall be regulated, providing for the levy and collection of taxes on certain agricultural lands for the purpose of aiding in the payment of salaries and expenses of the Hail Insurance Department, and for the payment of losses for crops injured or destroyed by hail and for expenses in investigating losses; authorizing such Hail Insurance Commissioner to appoint deputies, clerks and assistants and appraisers, and making appropriation for carrying out the provisions of this Act." Read first and second time at length and referred to Committee on Insurance.

H. B. No. 371, introduced by McQuarrie: A Bill for an Act entitled, "An Act to provide for the pasteurization of skimmed milk or separator slop before being used for livestock feeding purposes, and providing penalties for the violation thereof." Read first and second time and referred to Committee on Agriculture.

H. B. No. 372, introduced by Middleton: A Bill for an Act entitled, "An Act to amend Articles III, IV and V of Chapter III, Part IV, Title III, Sections 7999 to 8014, of the Revised Codes of the State of Montana, A. D. 1907, relating to depositions and the manner of taking the same." Read first and second time at length and referred to Judiciary Committee.

H. B. No. 373, introduced by McClory: A Bill for an Act entitled, "An Act appropriating the sum of one thousand three hundred and seventy (\$1370.00) dollars, or so much thereof as may be necessary to pay the claim of Sylvan Murray for sheep which were killed or died from defective dipping, dipped by the authority of the State of Montana." Read first and second time at length and referred to Appropriations Committee.

H. B. No. 374, introduced by Ingalls: A Bill for an Act entitled, "An Act to establish a State Vocational School for Girls, prescribing its objects and purposes, maintenance and management, prescribing commitments thereto, appeals, commutations, paroles and discharges, laws for fugitives aiding escapes and penalties therefor; providing for materials, supplies and appropriations for all of said purposes; also for empowering the State Board of Land Commissioners to sell or lease either land or buildings, or both for the same." Read first and second time at length and referred to Judiciary Committee.

H. B. No. 375, introduced by White: A Bill for an Act entitled, "An Act to repeal Chapter 37 of the Session Laws of the Fourteenth Legislative Assembly, entitled, 'An Act providing the fees to be paid by foreign corporations for filing a certified copy of its charter, or articles of incorporation, in the office of the Secretary of State of the State of Montana.'" Read first and second time and referred to Judiciary Committee.

H. B. No. 376, introduced by White: A Bill for an Act entitled, "An Act to amend Section 43 of the Revised Codes of 1907, relating to the certificate of an agent of a transportation company authorizing such agent to sell tickets, and the license issued by the Secretary of State to such agent." Read first and second time and referred to Judiciary Committee.

H. B. No. 377, introduced by White: A Bill for an Act entitled, "An Act to amend Section 4 of Chapter 80 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, relating to the fee of the Secretary of State for issuing a license to sell coal." Read first and second time and referred to Judiciary Committee.

H. B. No. 378, introduced by White: A Bill for an Act entitled, "An Act to amend Section 9745 of the Revised Codes of 1907, relating to the compensation of sheriffs for delivering prisoners at the State prison." Read first and second time and referred to Judiciary Committee.

H. B. No. 379, introduced by Arneson: A Bill for an Act entitled, "An Act to amend Section 4349 of the Revised Codes of the State of Montana, re-



lating to passenger fares for traveling upon railway trains." Read first and second time and referred to Committee on Railroads and Transportation.

H. B. No. 380, introduced by Harmon, Buell, Johnston and Clark: A Bill for an Act entitled, "An Act to make sheriffs, deputy sheriffs and constables ex-officio deputy game and fish wardens and to define their duties; and repealing Sections 1953, 1954, 1955, 1957, 1958, 1962, 1969 and 1975 of the Revised Codes, 1907, relating to game and fish wardens, and Section 1961 of the Revised Codes of 1907, as amended by Chapter 87 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, entitled, 'An Act to amend Section 1961 of the Revised Codes of Montana of 1907, authorizing and empowering the State game and fish warden to create additional game and fish districts, and to appoint additional special deputy game and fish wardens,' approved March 5, 1909, and Section 2 of Chapter 28 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, entitled, 'An Act authorizing the State game and fish warden to appoint a chief deputy and defining his powers and duties, and amending Section 1968, Revised Codes of the State of Montana of 1907, relating to the compensation of deputy game and fish wardens,' approved February 16, 1911, and Chapter 63 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, entitled, 'An Act authorizing the State game and fish warden to appoint additional deputies at certain times; providing for their compensation, and authorizing the State game and fish warden to employ an additional clerk, and fixing the salary thereof, and providing the manner in which the same shall be paid,' approved March 2, 1911, and Chapter 96 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, entitled, 'An Act authorizing the State game and fish warden to appoint six additional deputies, providing for their compensation and providing the manner in which the same shall be paid,' approved March 14, 1913." Read first and second time and referred to Judiciary Committee.

On motion of Cutts, the House resolved itself into a Committee of the Whole for the consideration of General Orders.

#### GENERAL ORDERS.

Cutts in the Chair.

House resumed.

Mr. Speaker in the Chair.

Cutts, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 83, by Edwards, entitled, "An Act to provide for the preservation, collection and publication of historical facts of the early settlement of the State of Montana," report same back to the house with the recommendation that same be amended by renumbering Section 4 to read Section 5, and by inserting a new section to be known as Section 4 and to read as follows: "Section 4. That the sum of nine thousand dollars or so much thereof as may be necessary is hereby appropriated out of the general fund of the State of Montana, not otherwise appropriated, to carry out the provisions of this Act," and that, as amended, Bill be concurred in.

Also, having had under consideration S. B. No. 7, by Lane, entitled, "An Act dividing the State into congressional districts and amending Section 47, Montana Revised Codes, 1907," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 29, by Oliver, entitled, "An Act relating to liens for labor and materials furnished to owners of leaseholds for oil and gas purposes and for materials and labor for the construction of oil and gas pipe lines," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 132, by Joint Committee on Stock Growing and Grazing, entitled, "An Act to consolidate the Board of Stock Commissioners and the Board of Sheep Commissioners, and to create a

Board to be known as the Live Stock Commission, and to provide for the appointment and qualification of its members and prescribing their duties, and creating a fund to be known as the Live Stock Commission fund, and to repeal Sections 1782, 1783, 1784, 1785, 1786, 1787, 1788 and 1789 of the Revised Codes of Montana of 1907, relating to the Board of Stock Commissioners, and Sections 1854, 1855, 1856, 1857, 1858, 1859, 1860 and 1861 of the Revised Codes of Montana of 1907, relating to the appointment and duties of the Board of Sheep Commissioners," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 114, by Slayton, entitled, "An Act to amend Sections 6449 and 6450 of the Revised Codes of the State of Montana of 1907, relating to the time of commencing actions other than for the recovery of real estate," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 73, by Burla, entitled, "An Act making the head janitor at the State Capitol custodian of all State property at the State Capitol; providing for the appointment of the head janitor and fixing his powers and duties and salary, and repealing Section 157, Article 5, Chapter 3, of the Political Code of the State of Montana," report same back to the House with the recommendation that the same be amended by inserting therein a new Section to be known as Section 7, to read as follows: "Section 7. The office of head janitor of the State Capitol building is hereby abolished and the duties heretofore performed by said head janitor, shall hereafter be performed by the custodian of the State Capitol," and by changing the numbers of Sections 7, 8 and 9 to 8, 9 and 10, respectively, and that, as amended, Bill be concurred in.

Also, having had under consideration S. B. No. 88, by Gallwey, entitled, "An Act to repeal Section 9 of Chapter 73 of the Laws of the Thirteenth Legislative Assembly, concerning the regulation of motor vehicles by local authorities," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 135, by Morris, entitled, "An Act to create the Eighteenth Judicial District of the State of Montana, to be composed of the Counties of Hill and Blaine, and to provide and designate the powers, duties, term and compensation of the Judge of said Eighteenth Judicial District, and to provide that the Twelfth Judicial District of the State of Montana shall hereafter embrace the territory within the County of Chouteau," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 104, by Gallwey, entitled, "An Act to prohibit any person from knowingly buying, selling, receiving, disposing of or concealing, or having in his possession, any automobile, motor car or motor vehicle from which the manufacturer's serial number, or any other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed, for the purpose of concealment or misrepresenting the identity of such automobile, motor car or motor vehicle, and providing punishment for the violation of the provisions hereof," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 85, by Smith, entitled, "An Act relating to the powers and duties of Justices of the Peace, and fixing their compensation," report same back to the House with the recommendation that it be reprinted and referred to General Orders.

Also, having had under consideration S. B. No. 64, by Dwight, entitled, "An Act to amend Subdivision 8 of Section 508 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the purchasing of school sites, and the building and removal of school houses," report same back to the House with the recommendation that Section 1 thereof be amended by striking out in line 6 the word "freeholders" and inserting in lieu thereof the word "electors," and that, as amended, Bill be concurred in.

Also, having had under consideration S. B. No. 48, by Stevens, entitled, "An Act to amend Sections 24, 25, 26, 27, 28, 30, 31, 33, 34, 39, 40, 42, 45 and

to re-enact Sections 23, 29, 32, 35, 36, 37, 38, 41, 43, 44 and to repeal Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 46 of Chapter 93 of the Laws, Resolutions and Memorials of the State of Montana passed by the Fourteenth Session of the Legislative Assembly, and to add a new section providing for the continuation of all bonds, licenses and receipts given or issued pursuant to the provisions of said Chapter," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 10, by Annin, entitled, "An Act to amend Section 11 of Chapter 50 of the Session Laws of the Thirteenth Legislative Assembly relative to the establishment of a Board of Examiners for nurses and providing for the issuance of a license or certificate of registration to persons engaged in the profession of nursing the sick," report same back to the House with the recommendation that Section 1 thereof be amended as follows: By striking out in line 16 the words "and three doctors" and inserting in lieu thereof the words "six registered nurses," and that, as amended, Bill be concurred in.

Also, having had under consideration S. B. No. 63, by Dwight, entitled, "An Act to amend Section 1600 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, providing for the method of selecting, purchasing, exchanging, or selling of school house sites in school districts of the third class, and relating to school house sites in general," report same back to the House with the recommendation that Section 1 thereof be amended as follows: By striking out in line 10 the word "freeholders" and inserting in lieu thereof the word "electors," and that, as amended, Bill be concurred in.

Also, having had under consideration S. B. No. 32, by Oliver, entitled, "An Act regulating the casing of oil and gas wells, and the mode of plugging the same when abandoned," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration H. B. No. 199, by Higgins, entitled, "An Act relating to the construction, operation, use and maintenance of all electrical construction, appliances and apparatus, and providing a penalty for the violation thereof," report same back to the House with the recommendation that the Bill submitted by Higgins be adopted as amendments to H. B. No. 199 and considered by Committee of the Whole, and H. B. No. 199 be reported back with the recommendation that it do pass as amended by substitute Bill and that same be printed.

Report adopted.

There being no objection, House reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 269, 270, 73 and House Joint Resolution No. 8, and House Joint Memorial No. 7, beg leave to report same back correctly printed.

Report adopted and Bills, Memorial and Resolution placed on General Orders.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, having had under consideration H. B. No. 207, introduced by Weil, a Bill for an Act entitled, "An Act amending Chapter 78 of the Session Laws of the 13th Legislative Assembly, entitled, 'An Act to establish a Montana State Highway Commission, defining its duties and powers and providing for its compensation, providing for a State Highway Commission Fund, and appropriating money therefor,' amending Sections 1, 2, 3, 4, 5, 7, 11 and 12, and repealing Sections 6, 8, 9 and 10," report the same back without recommendation, but that the same be printed.

Report adopted and Bill referred to Printing Committee.

Lemmon, from the Committee on Corporations other than Municipal, reported as follows:

Mr. Speaker: We, your Committee on Corporations other than Municipal, having had under consideration Senate Bill No. 99, by Whiteside, a Bill for an

Act entitled, "An Act to permit co-operative associations organized under the laws of the State of Montana, to consolidate their interests and capital stock, and designating the procedure to be followed to effect such consolidations," recommend that the same be referred to the Judiciary Committee.

Report adopted and Bill referred to Judiciary Committee.

Mr. Speaker appointed the following members as a Conference Committee on H. B. No. 72: Bernard, Weil, McQuarrie.

No objection being offered, Mr. Speaker reverted to Fifth Order of Business.

#### INTRODUCTION AND SECOND READING OF BILLS.

McQuarrie was granted unanimous consent to introduce a Bill without previous notice.

H. B. No 381, introduced by Joint Highway Committee: A Bill for an Act entitled, "An Act to provide for the registration and identification of motor vehicles and operators thereof, and providing for the regulation of all vehicles operating upon the public highways of the State and providing penalties for the violation of the provisions of this Act, and providing for the disposition of all funds collected thereunder, and repealing the provisions of Chapters 71 and 73 of the Laws of the Thirteenth Legislative Assembly, and Chapter 65 of the Laws of the Fourteenth Legislative Assembly." Read first and second time and referred to Highways Committee.

H. B. No. 382, introduced by Baldwin: A Bill for an Act entitled, "An Act providing for levying a tax upon the net income of corporations, and providing the method of collection of same, to be known as the State Corporation Income Tax." Read first and second time and referred to Committee on Ways and Means.

H. B. No. 383, introduced by Hathaway: A Bill for an Act entitled, "An Act to amend Chapter XVI of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana by adding thereto Section 1608, providing fire escapes for all school buildings of more than one story in height." Read first and second time and referred to Judiciary Committee.

H. B. No. 384, introduced by Farmer: A Bill for an Act entitled, "An Act to amend Sub-Section 19 of Chapter 3259 of the Revised Codes of the State of Montana, 1907, relating to the powers of city and town councils." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 385, introduced by Holt: A Bill for an Act entitled, "An Act to amend Section 4215 of the Revised Codes of Montana of 1907, to be entitled, By-Laws and Board of Directors, and to amend Section 4220 of the Revised Codes of Montana of 1907." Read first and second time and referred to Judiciary Committee.

H. B. No. 386, introduced by Kemmis: A Bill for an Act entitled, "An Act to provide for the enumeration of the inhabitants of this State for the years 1917 and 1925 and every tenth year thereafter, and making an appropriation for the purpose of the enumeration to be made in the year 1917." Read first and second time at length and referred to Judiciary Committee.

H. B. No. 387, introduced by Eaton: A Bill for an Act entitled, "An Act to repeal Sections 1 and 2 of Chapter 77 of the Session Laws of the 13th Legislative Assembly and to transfer the duties now devolving upon the office of the State Dairy Commissioner to the State Board of Health, and to the State College of Agriculture and Mechanic Arts, and making an appropriation for the additional educational dairy work transferred to the State College." Read first and second time at length and referred to Judiciary Committee.

H. B. No. 388, introduced by White: A Bill for an Act entitled, "An Act to amend Section 4213 of the Revised Codes of 1907, relating to the certificate of incorporation of co-operative associations, and the fee for the Secretary of State, for issuing such certificates." Read first and second time and referred to Judiciary Committee.

H. B. No. 389, introduced by White: A Bill for an Act entitled, "An Act to amend Section 3850 of the Revised Codes of 1907, as amended by Chapter



140 of the Session Laws of the Eleventh Legislative Assembly, relating to the filing of annual statements by corporations." Read first and second time and referred to Judiciary Committee.

H. B. No. 390, introduced by White: A Bill for an Act entitled, "An Act to amend Section 165 of the Revised Codes of 1907, relating to the fees of the Secretary of State." Read first and second time and referred to Judiciary Committee.

H. B. No. 391, introduced by Middleton: A Bill for an Act entitled, "An Act to regulate and limit the fees of sheriffs in actions for the foreclosure of mortgages." Read first and second time and referred to Judiciary Committee.

H. B. No. 392, introduced by Cotter: A Bill for an Act entitled, "An Act to provide for the creation of trespass districts on certain lanes and highways, and to prohibit livestock from running at large therein, and fixing the penalty therefor, and defining the boundaries thereof, and repealing all Acts and parts of Acts in conflict herewith." Read first and second time and referred to Committee on Livestock and Public Ranges.

On motion of McMahon, House adjourned at 5:15 P. M. until 10:00 A. M. Thursday, February 15, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

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## FORTY-SIXTH DAY

Thursday, February 15, 1917.

House met at 10:00 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present.

Ironsides, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the forty-fifth day and find the same to be correct.

### COMMUNICATIONS AND PETITIONS.

A communication was received from the Commercial Club of the Town of Froid, protesting against the establishment of the County of River.

On motion of Rasmussen, communication referred to Committee on New Counties and Divisions.

### REPORTS OF STANDING COMMITTEES.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 351, introduced by Gould, entitled, "An Act providing a method for the assessment and collection of a license fee on private car companies doing business in this State," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be printed and returned to the Committee.

Report adopted and Bill referred to Printing Committee.

Larsen, from the Committee on Railroads and Transportation, reported as follows:

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 368, by Farmer, a Bill for an Act entitled, "An Act to amend Sections 4349 and 4352 of the Revised Codes of 1907, relating to passenger rates to be charged by railroads within the State of Montana and the disposition of fines collected for the violation thereof and repealing Section 4350 of the Revised Codes of 1907," respectfully beg leave to report as follows: That this Bill do not pass.

Report adopted.

Larse, from the Committee on Railroads and Transportation, reported as follows:

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 325, introduced by Murray, a Bill for an Act entitled, "An Act providing qualifications for conductors and flagmen, who shall be hereafter employed to work in the train service of any railroad or railway company, operating in whole or in part in the State of Montana," respectfully beg leave to report as follows: That this Bill do not pass.

Report adopted.

Larse, from the Committee on Railroads and Transportation, reported as follows:

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 213, introduced by Fishbaugh, a Bill for an Act entitled, "An Act providing for a demurrage charge to be made to apply to both shipper, consignee and common carriers, and providing the rate of charge, respectfully beg leave to report as follows: That this Bill do not pass. Report adopted.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, having had under consideration H. B. No. 381, introduced by Joint Highway Committee, a Bill for an Act entitled, "An Act to provide for the registration and identification of motor vehicles and operators thereof, and providing for the regulation of all vehicles operating upon the public highways of the State and providing penalties for the violation of the provisions of this Act, and providing for the disposition of all funds collected thereunder, and repealing the provisions of Chapters 71 and 73 of the Laws of the Thirteenth Legislative Assembly, and Chapter 65 of the Laws of the Fourteenth Legislative Assembly," report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, having had under consideration H. B. No. 172, introduced by Page, a Bill for an Act entitled, "An Act to amend Sections 1 and 4, Chapter II of Chapter 141, of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, 'An Act to amend Chapter 72 of the Session Laws of 1913,' the same being known as the General Highway Laws and relating to the classification and permanent improvement of public highways," report same back to the House with the recommendation that it do not pass.

Report adopted.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, having had under consideration H. B. No. 96, introduced by Huffaker and Oscar Anderson, a Bill for an Act entitled, "An Act to amend Subdivision I of Section 2 and to amend Section 4 and Subdivision I of Section 2 of Chapter 73 of the Acts of the Legislative Assembly of Montana, known as the Montana State Motor Vehicle Law, approved March 12, 1913, being entitled, 'An Act providing for the registration, identification and regulation of motor vehicles operated and driven upon the public roads and highways of the State,' and providing for the collection and disbursement of such registration fees and for the creation of a road maintenance fund and providing that a portion of such fees shall be paid into such fund for such purposes," report same back to the House with the recommendation that it do not pass.

Report adopted.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, having had under consideration H. B. No. 117, introduced by Lewis, a Bill for an Act entitled, "An Act to amend Chapters III, IV and VI of Chapter 141, of the Session Laws of the Fourteenth Legislative Assembly, the same being an amendment of Chapter 72 of the Session Laws of 1913, known as the General Highway Law and relating to the classification and permanent improvement of public highways, and re-

pealing Section 1402 of the Revised Codes of Montana of 1907," report same back to the House with the recommendation that it do not pass.

Report adopted.

### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 393, introduced by Shaw: A Bill for an Act entitled, "An Act to amend Section 2957 of the Revised Codes of the State of Montana, of 1907, as amended by Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly, relating to the enumeration of county officers, and Section 3100 of the Revised Codes of the State of Montana, 1907, relating to the creation of the office of County Auditor within certain counties in the State of Montana." Read first and second time and referred to Judiciary Committee.

H. B. No. 394, introduced by Arneson: A Bill for an Act entitled, "An Act relating to school teachers giving school boards notices of resignation and providing penalties for violation thereof." Read first and second time and referred to Committee on Education.

H. B. No. 395, introduced by Anderson: A Bill for an Act entitled, "An Act to establish a game preserve in South Moccasin Mountains, Fergus County, Montana, for the protection of game animals and game birds, and providing penalties for the pursuing, hunting or killing of such animals or birds in such preserve." Read first and second time and referred to Fish and Game Committee.

H. B. No. 396, introduced by Committee on Highways: A Bill for an Act entitled, "An Act to amend Section 12 of Chapter III of Chapter 141 of the Laws of the Fourteenth Legislative Assembly, known as the General Highway Law relating to the classification and permanent improvement of public highways." Read first and second time and referred to Committee on Highways.

H. B. No. 397, introduced by Andersen: A Bill for an Act entitled, "An Act to amend Sections 3 and 4, of Chapter 110, Laws of the Twelfth Legislative Assembly of Montana; to provide for the strict regulation of itinerant vendors, hawkers, peddlers and other transients who attempt to do business in Montana, and to regulate the issuance of their licenses by grading said licenses, and to prescribe the manner of their application to do business in the Counties of the State." Read first and second time and referred to Judiciary Committee.

H. B. No. 398, introduced by Eaton: A Bill for an Act entitled, "An Act creating the office of State Dental Surgeon, prescribing the powers and duties of the incumbent of such office, and providing compensation therefor." Read first and second time and referred to Committee on State Boards.

H. B. No. 399, introduced by Joint Sanitary Committee: A Bill for an Act entitled, "An Act to amend Section 6, Chapter 120 of the Laws of the Thirteenth Legislative Assembly of the State of Montana, entitled, 'An Act to create the State Board of Entomology. To define its powers and duties and appropriate money therefor.'" Read first and second time and referred to Committee on Appropriations.

H. B. No. 400, substitute for House Bills Nos. 100 and 46, introduced by Murray, Hathaway and Mason: A Bill for an Act entitled, "An Act relating to a mother's pension and for the care of dependent children in their own home by their mother, the father of said children being dead or an inmate of some Montana State Institution or who has failed to provide for said children for a period of one year or more, or who is physically or mentally incapacitated, or who has abandoned his family and such abandonment occurred while he was a resident of the State of Montana and has continued for more than one year, and whose mother is financially unable to support such children; providing a penalty for the violation of and repealing Sections 1, 2, 3, 4, 5, 6 and 7, of Chapter 86 of the Session Laws of the Fourteenth Legislative Assembly." Read first and second time and referred to Judiciary Committee.

### READING OF SENATE BILLS.

Sub. S. B. No. 56, read first and second time and referred to Committee on Livestock and Public Ranges.

S. B. No. 71, read first and second time and referred to Committee on Judiciary.

S. B. No. 87, read first and second time and referred to Committee on Live-stock and Public Ranges.

S. B. No. 165, read first and second time at length and referred to Committee on Appropriations.

S. B. No. 75, read first and second time and referred to Committee on Public Morals, Charities and Reforms.

### MOTIONS AND RESOLUTIONS.

Lemmon: I move to reconsider the vote taken on H. B. No. 235.

Motion carried and Bill re-referred to Committee on Corporations other than Municipal.

No objection being offered, Mr. Speaker reverted to Fourth Order of Business.

### REPORTS OF STANDING COMMITTEES.

Hathaway, from the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, to whom was referred House Bill No. 301, introduced by Phelps, entitled, "An Act to prohibit the sale of intoxicating liquors in territory not embraced within the limits of incorporated cities or towns, except in saloons located in health resorts or in towns where there is at the time of the passage of this Bill a regularly salaried deputy sheriff, prohibiting the issuance of licenses therefor and prescribing penalties for its violation," report same back to the House with the recommendation that it do pass, amended as follows: In lines 16 and 17, Section 1, after the word "sheriff" strike out the words "said saloon licenses to be granted and in operation at the time of the passage of this Bill."

Grimes submitted the following minority report from the Committee on Public Morals, Charities and Reforms:

Mr. Speaker: We, a minority of the Committee on Public Morals, to whom was referred House Bill No. 301 by Phelps, entitled, "An Act to prohibit the sale of intoxicating liquors in the territory not embraced within the limits of incorporated cities or towns except saloons located in health resorts or in towns where there is at the time of the passage of this Bill a regularly salaried deputy sheriff, providing for the enforcement thereof, prohibiting the issuance of licenses therefor and prescribing penalties for its violation," beg leave to report the same back to the House with the recommendation that it be indefinitely postponed."

Hathaway: I move the adoption of the majority report.

McMahon: As a substitute, I move the adoption of the minority report.

Roll call demanded and substitute motion carried by the following vote:

Ayes: Ashby, Ball, Baxter, Blake, Blodgett, Booth, Brooks, Buchanan, Burnworth, Clark, Connolly, Crowley, Cutts, Davis, Duffy, Eliel, Fishbaugh, Fuller, Gould, Grimes, Hawks, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kelsey, Lanstrum, Lusk, McClory, McDonald, McMahon, Middleton, Morris, Murray, O'Brien, Page, Prosser, Quaintance, Searles, Shaw, Ward, Weil, Wheat, White, Working—48.

Noes: Andersen (Charles), Arneson, Baldwin, Bent, Bernard, Buell of Missoula, Buell of Gallatin, Carll, Cotter, Crismas, Deibel, Demel, Dodds, Eaton, Griffin, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Ingalls, Johnston of Ravalli, Kehoe, Larse, Lemmon, Lewis, McQuarrie, Mason, Morrow, Phelps, Rainey, Rasmussen, Sand, Scott, Sektnan, Stimpert, Mr. Speaker—40.

Absent and not voting: Anderson (Oscar W.), Andrew, Belden, Farmer, Kemmis, McMillan, Spain—7.

Minority report adopted.

Majority report not adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 341, introduced by Sand, being a Bill for an Act establishing the Eastern Montana State Normal School, defining the objects of its establishment, providing for the control, supervision and management thereof, changing the name of the State Normal College at Dillon, Montana, and making an appropriation for the construction of the necessary buildings and the support and maintenance



thereof." After having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it be indefinitely postponed. Report adopted.

Husser, from the Committee on Public Health and Sanitary Affairs, reported as follows:

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 165, introduced by Higgins, being a Bill for an Act entitled, "An Act relating to the practice of pharmacy in the State of Montana and authorizing the registration as assistant registered pharmacists or as registered pharmacists by the State Board of Pharmacy of the State of Montana of persons who present diplomas of graduation from the School of Pharmacy of the University of Montana and pay the regular fees for such registration," respectfully beg leave to report as follows: That we recommend that Bill do pass.

Report adopted and Bill referred to Printing Committee.

Husser, from the Committee on Public Health and Sanitary Affairs, reported as follows:

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 359, introduced by Huffaker, being a Bill for an Act entitled, "An Act to amend Chapter 123 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, 'An Act empowering County Commissioners to create and establish improvement districts in thickly populated localities outside the limits of incorporated towns and cities, for the purpose of constructing sanitary and storm sewers, installing lights and such other special improvements, that may be petitioned for by sixty per cent (60%) of the freeholders affected by the same,' and authorizing such freeholders to hold a public meeting and elect three supervisors to such improvement district which said supervisors shall select a clerk to keep their records and said supervisors to have full charge of such improvement districts," respectfully beg leave to report as follows: That we recommend Bill do pass.

Report adopted and Bill referred to Printing Committee.

Gould, from the Committee on Improvements and Manufacturing, reported as follows:

Mr. Speaker: We, your Committee on Improvements and Manufacturing, having had under consideration Senate Bill No. 51, introduced by Gallwey, a Bill for an Act relating to and regulating the manufacturing, keeping, storage, transportation and sale of explosives, and providing penalties for any violation thereof," respectfully beg leave to report as follows: That the Bill be concurred in as amended in Section 18, Subdivision B, in the last line, after the word "time" by adding the words: "Nor any person or persons carry ammunition in reasonable amounts"

Report adopted and Bill placed on General Orders.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 14, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Measures were this day reported from Standing Committees with recommendations:

Committee on Railroads and Transportation reported H. B. No. 38, introduced by Jones, with the recommendation that the Bill be concurred in with the following amendments:

In the printed Bill strike out all of line 4, after the word "depot."

In line 5, after the word "Kept" insert the words "a bulletin board and."

In line 6, after the word "corporation" insert the word "shall."

In line 10, strike out the word "one" and insert the word "two" and insert the letter "s" after the word "hour" and after the word "loss" insert the words "of more than 15 minutes."

In line 11, after the word "loss" insert the words "of more than 15 minutes."

In line 15a, strike out the word "when" and insert in lieu thereof the word "while."

In line 15b, after the word "person" strike out the word "regularly" and after the word "duty" strike out the words "at the."

In line 16, strike out the first eight words, before the word "but."

In line 29, strike out the word "and" and insert in lieu thereof the word "or."

In line 40, insert the words "twenty days" after the word "effect." Report adopted.

Committee on Sanitary Affairs reported H. B. No. 193, introduced by Griffin, relating to pollution of water supply, with the recommendation that the Bill be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 14, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with the following recommendations:

Committee on Education reported S. B. No. 179, by Oliver, relating to school districts, with the recommendation that the Bill do pass. Report adopted.

Committee on Printing reported S. B. No. 62, correctly printed. Report adopted.

Committee on Banks and Banking reported S. B. No. 169, with the recommendation that the Bill do pass. Report adopted.

Committee on Counties and Towns reported S. B. No. 157, by Featherly, relating to Beaverhead and Madison counties, with the recommendation that the Bill be indefinitely postponed. Report adopted.

Also submitted a majority report on Senate Bill No. 138, by Annin, relating to the classification of counties, recommending the Bill for passage. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 14, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Measures were this day reported from Standing Committees with recommendations:

Committee on Federal Relations reported H. J. M. No. 1, by Bernard, with the recommendation that the same be concurred in. Report adopted.

Committee on Counties and Towns reported H. B. No. 153, by Huffaker, relating to motor vehicles, with the recommendation that the same be concurred in. Report adopted.

Also reported H. B. No. 152, by Ward, relating to taxes, with the recommendation that the same be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 14, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committees with recommendations:

Committee on Agriculture reported S. B. No. 159, introduced by Slayton, relating to fences, with the recommendation that the Bill do pass. Report adopted.

Committee on Education reported S. B. No. 80, introduced by Haley, with the recommendation that the Bill be amended, and that as amended the Bill do pass. Report adopted.

Committee on Railroads and Transportation reported S. B. No. 161, introduced by Healy, relating to railroad officials, with the recommendation that the Bill do pass. Report adopted.

Also reported S. B. No. 153, introduced by Smith, relating to railroad spurs, with the recommendation that the same do pass. Report adopted.

Committee on Printing reported S. B. Nos. 103, 121, 141, 146, 155, 164, 74 and 148 correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 14, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 174, by Kane: "An Act to create the office of State Horticultural Commissioner, defining his powers and duties, providing for the appointment of inspectors, and defining their powers and duties; providing for the inspection of nursery stock, fruit, fruit trees, ornamental trees, shrubbery, plants, cuttings, grafts, buds, scions, seeds, pits, vines and all horticultural and agricultural plants and plant products thereof; requiring shippers of nursery stock to have same inspected by an inspector; prescribing quarantine and the methods employed thereunder; providing for the disinfection of fruit, fruit trees, ornamental trees and shrubbery, and all horticultural and agricultural plants and plant products; providing for the destruction of infected or infectious fruit, fruit trees, ornamental trees, shrubbery, and all horticultural and agricultural plants and plant products thereof, providing methods of enforcing the same, and prescribing compensation for those enjoined to enforce the provisions of this Act and for their removal from office; to provide for the appropriation of money to pay the necessary expenses of the conduct of the State Horticultural Commission, and repealing all laws in conflict herewith." Referred to Committee on Horticulture.

S. B. No. 175, by Clay: "An Act amending Section 9535, authorizing county attorneys to dismiss cases in justice court." Referred to Committee on Judiciary.

S. B. No. 176, by Annin: "An Act relating to the payment of salaries of Justices of the Supreme Court and Judges of the District Court." Referred to Committee on Judiciary.

S. B. No. 177, by O'Shea: "An Act to provide for the appointment by the Governor of the members of the Board of Railroad Commissioners of the State of Montana, at the expiration of their elective term; defining the duties and fixing the salaries of the members of said Board; to dispense with the services of the Secretary of the Board and to require two of the present members thereof to serve as Secretary of said Board as well as ex-officio Secretary of the Public Service Commission; and to amend Section 4363, Revised Statutes of 1907, relating to Railroad Commissioners; and also to amend Section 2, Chapter 52, Laws of the Thirteenth Legislative Assembly of Montana, relating to Secretary of the Public Service Commission." Referred to Committee on Judiciary.

S. B. No. 178, by O'Shea: "An Act relating to the liabilities, restrictions and duties of foreign corporations licensed to do business in the State of Montana." Referred to Committee on Corporations other than Municipal.

S. B. No. 179, by Oliver: "An Act to amend Section 403 of Chapter 76 of the Laws of the Twelfth Legislative Assembly of the State of Montana, relating to the creation of school districts." Referred to Committee on Education.

S. B. No. 180, by O'Shea: "An Act to regulate the issuance of bonds for public officers and officials in accordance with the provisions of the laws of the State of Montana in relation thereto, and providing penalties for the violation thereof." Referred to Committee on Insurance.

S. B. No. 181, by Ellingson: "An Act to amend Section 4349 of the Revised Codes of the State of Montana, relating to passenger fares for traveling upon railway trains." Referred to Committee on Railroads.

S. J. M. No. 2, by Hogan: "Senate Joint Memorial for the protection of the oil industries of the State of Montana." Referred to Committee on Federal Relations.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 14th, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day taken from General File and re-referred to Committees:

H. B. No. 89, Committee on Public Morals.

H. B. No. 143, Committee on Public Morals.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 14, 1917.

Afternoon Session.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole Senate this day recommended the enacting clause be stricken from H. B. No. 182, introduced by Ironside. Report adopted. Bill is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 14, 1917.

Afternoon Session.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in the House amendments to the following Bills:

S. B. No. 58, by Jones, relating to the creation of Wheatland County.

S. B. No. 76, by Oliver, relating to the creation of Sykes County.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 14, 1917.

Afternoon Session.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, title agreed to, and is herewith returned to your Honorable Body for concurrence in Senate amendments:

H. B. No. 128, introduced by Demel and Scott.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 14, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in, titles agreed to, and are herewith returned:

H. B. No. 193, by Griffin.

H. B. No. 175, By Deibel.

H. B. No. 174, by Deibel.

H. B. No. 194, by Huffaker.

H. B. No. 133, by Farmer.

H. B. N. 138, by Searles.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 14, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following measures were this day signed in open session by the President of the Senate:

H. B. No. 123, by Henderson.

H. B. No. 29, by Mason.

H. B. No. 42, by McQuarrie.

H. B. No. 23, by Johnston and Cotter.

H. B. No. 127, by Buell of Missoula.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 14, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills having this day been read three several times and passed, titles agreed to, are herewith transmitted to your Honorable Body for concurrence:

S. B. No. 56, by Williams.

S. B. No. 71, by Whiteside.

S. B. No. 87, by Heren.

S. B. No. 165, by Haley.

S. B. No. 75, by Annin.

Respectfully,

J. F. CONE, Secretary of the Senate.



Senate Chamber, Helena, Montana, Afternoon Session, February 14, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day approved the following measures:

S. B. No. 27, by Clark.

S. B. No. 31, by Oliver.

S. B. No. 65, by Healy.

Sub. S. B. No. 41, by Burla.

S. J. R. No. 3, by Hogan.

Respectfully,

J. F. CONE, Secretary of the Senate.

Higgins: I move that S. B. No. 7 be re-referred to General Orders.

McMahon: I move that the motion to re-refer S. B. No. 7 to General Orders be laid upon the table.

Motion to lay on table carried by standing vote of 41 to 29.

### THIRD READING OF SENATE BILLS.

S. B. No. 7, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blodgett, Brooks, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Hathaway, Hawks, Husser, Ironside, Jensen, Kehoe, Kelsey, Kemmis, Larse, Lemmon, McDonald, McMahon, Middleton, Morris, Morrow, Murray, O'Brien, Sand, Scott, Searles, Sektan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—58.

Noes: Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Cotter, Dodds, Griffin, Harmon, Higgins, Holt, Huffaker, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Lewis, Lusk, McClory, McMillan, McQuarrie, Page, Phelps, Quaintance, Rainey, Rasmussen—27.

Absent and not voting: Andrew, Farmer, Harbert, Henderson, Henry, Hurd, Mason, Prosser, Spain, Mr. Speaker present but not voting—10.

Title agreed to and Bill returned to Senate.

S. B. No. 29, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fuller, Gould, Grimes, Gullidge, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—83.

Noes: None.

Absent and not voting: Andrew, Baxter, Belden, Eliel, Farmer, Fishbaugh, Griffin, Harbert, Mason, Prosser, Spain; Mr. Speaker present but not voting—12.

Title agreed to and Bill returned to Senate.

S. B. No. 114, having been read three several times was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—88.

Noes: None.

Absent and not voting: Andrew, Farmer, Griffin, Grimes, Mason, Spain; Mr. Speaker present but not voting—7.

Title agreed to and Bill returned to Senate.

S. B. No. 73, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Eaton, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Mason, Morris, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, Working—75.

Noes: Blake, Cotter, Duffy, Kemmis, Higgins, McClory, McMillan—7.

Absent and not voting: Andrew, Carll, Eliel, Farmer, Griffin, Husser, Jones, Larse, Middleton, Rasmussen, Spain, White; Mr. Speaker present but not voting—13.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 88, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, Wheat, Working—78.

Noes: None.

Absent and not voting: Andrew, Bernard, Blake, Davis, Eliel, Farmer, Griffin, Husser, Jones, Larse, Phelps, Rasmussen, Sand, Spain, Ward, White; Mr. Speaker present but not voting—17.

Title agreed to and Bill returned to Senate.

S. B. No. 135, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Ashby, Ball, Baxter, Belden, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Grimes, Gullidge, Harmon, Hathaway, Hawks, Henderson, Henry, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Prosser, Quaintance, Rainey, Sand, Sektnan, Shaw, Stimpert, Weil, Wheat, Working—67.

Noes: Arneson, Bent, Gould, Higgins, Johnson of Deer Lodge, Page, Scott—7.

Absent and not voting: Andrew, Baldwin, Blake, Cutts, Eliel, Farmer, Griffin, Harbert, Holt, Jones, Lanstrum, Larse, Lemmon, Murray, Phelps, Rasmussen, Searles, Spain, Ward, White; Mr. Speaker present but not voting—21.

Title agreed to and Bill returned to Senate.

Mr. Speaker notified the House that he was about to sign Senate Bills Nos. 76 and 58, and signed same in the presence of the House.

S. B. No. 104, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Grimes,

Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Huser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMahon, McMillan, McQuarrie, Mason, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Scott, Searles, Shaw, Stimpert, Ward, Weil, Wheat, Working—78.

Noes: None.

Absent and not voting: Andrew, Cotter, Crismas, Cutts, Eliel, Farmer, Griffin, Holt, McClory, McDonald, Middleton, Rasmussen, Sand, Sektnan, Spain, White; Mr. Speaker present but not voting—17.

Title agreed to and Bill returned to Senate.

S. B. No. 64, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Anderson (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Duffy, Eaton, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Quaintance, Rainey, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—81.

Noes: Page—1.

Absent and not voting: Andrew, Brooks, Burnworth, Demel, Dodds, Eliel, Farmer, Griffin, Prosser, Rasmussen, Sand, Spain; Mr. Speaker present but not voting—13.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 48, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Rainey, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—85.

Noes: None.

Absent and not voting: Andrew, Eliel, Farmer, Griffin, Holt, Page, Rasmussen, Sand, Spain; Mr. Speaker present but not voting—10.

Title agreed to and Bill returned to Senate.

S. B. No. 10, having been read three several times, was concurred in as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Quaintance, Rainey, Rasmussen, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Working—79.

Noes: White—1.

Absent and not voting: Andrew, Baxter, Davis, Eliel, Farmer, Griffin, Grimes, Higgins, Jones, Kelsey, Prosser, Sand, Spain, Wheat; Mr. Speaker present but not voting—15.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 63, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnston of Deer Lodge, Johnston of Ravalli, Jones, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—80.

Noes: Hathaway, Page, Rainey—3.

Absent and not voting: Andrew, Bernard, Blake, Eliel, Farmer, Henderson, Higgins, Kehoe, Kelsey, Phelps, Spain; Mr. Speaker present but not voting—12.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 32, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crisas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—86.

Noes: None.

Absent and not voting: Blodgett, Burnworth, Cotter, Eliel, Farmer, Griffin, Lemmon, Spain; Mr. Speaker present but not voting—9.

Title agreed to and Bill returned to Senate.

S. B. No. 83, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Shaw, Stimpert, Ward, Weil, Wheat, White—79.

Noes: Gould, Hawks, Page—3.

Absent and not voting: Baxter, Blake, Eliel, Farmer, Griffin, Holt, Johnson of Deer Lodge, McMillan, Rasmussen, Sektnan, Spain, Working; Mr. Speaker present but not voting—13.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. 132, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ironside, Jensen, Johnston of Ravalli, Jones, Larse, Lemmon, Lewis, Lusk,



McDonald, McMahon, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Scott, Searles, Sektan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—74.

Noes: Kemmis, McClory, McMillan—3.

Absent and not voting: Arneson, Blake, Blodgett, Crowley, Eliel, Farmer, Fishbaugh, Griffin, Holt, Ingalls, Johnson of Deer Lodge, Kelsey, Kehoe, Lanstrum, Mason, Sand, Spain; Mr. Speaker present but not voting—18.

Title agreed to and Bill returned to Senate.

Senate amendments to H. B. No. 128, were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Higgins, Holt, Hurd, Husser, Ingalls, Ironside, Jensen, Johnston of Ravalli, Kehoe, Kelsey, Larse, Lemmon, Lewis, Lusk, McMahon, McQuarrie, Mason, Middleton, Murray, O'Brien, Phelps, Prosser, Rainey, Sand, Searles, Sektan, Shaw, Weil, White—65.

Noes: Arneson, Demel, Gould, Hathaway, Huffaker, Jones, Kemmis, Lanstrum, McClory, McDonald, Morrow, Page, Scott, Ward—15.

Absent and not voting: Belden, Blake, Blodgett, Brooks, Eliel, Farmer, Griffin, Johnson of Deer Lodge, McMillan, Morris, Rasmussen, Spain, Stimpert, Wheat; Mr. Speaker present but not voting—15.

Bill referred to Engrossing Committee.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 327, 244 and 267, beg leave to report same correctly printed.

Report adopted and Bills placed on General Orders.

On motion of Lemmon, House recessed at 12:05 P. M. until 1:00 P. M.

#### AFTERNOON SESSION.

House re-assembled at 1:00 P. M.

Mr. Speaker in the Chair.

On motion of Mason, House reverted to Fifth Order of Business.

#### INTRODUCTION AND SECOND READING OF BILLS.

Lewis, Shaw and Carll were granted unanimous consent to introduce Bills without previous notice.

H. B. No. 401, introduced by Harbert and Mason: A Bill for an Act entitled, "An Act creating the County of Lake, designating the boundaries thereof and providing for its organization and government and to provide for the selection of the county seat and the election of officers, and to change the boundaries of Flathead, Sanders and Missoula counties to conform thereto." Read first and second time and referred to Committee on New Counties and Divisions.

H. B. No. 402, introduced by Lewis: A Bill for an Act entitled, "An Act to consolidate the office of commissioner of labor and industry with that of the department of agriculture and publicity, providing for the work of the commissioners of labor and industry being performed by the commissioner of agriculture and publicity, providing for the employment of the necessary assistants for the performance of such work, and repealing all Acts in conflict herewith." Read first and second time and referred to Judiciary Committee.

H. B. No. 403, introduced by Andrew: A Bill for an Act entitled, "An Act to amend Section 3241 of the Revised Codes of Montana of 1907, relating to salaries of police judge." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 404, introduced by Kemmis: A Bill for an Act entitled, "An Act to amend Section 2001, Chapter 76 of the Session Laws of 1913, relating to amount of the common school levy." Read first and second time and referred to Committee on Judiciary.

H. B. No. 405, introduced by Shaw: A Bill for an Act entitled, "An Act to amend Section 1906 of the Revised Codes of Montana, 1907, as amended by

Chapter 91 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, providing that any justice of the peace or notary public within any county shall act as bounty inspector for such county, and prescribing the duties and fixing the compensation of such bounty inspectors." Read first and second time and referred to Judiciary Committee.

H. B. No. 406, introduced by Carll: A Bill for an Act entitled, "An Act to amend Section 546 of the Revised Codes of 1907 of the State of Montana, relating to the number of official ballots to be provided by the County Clerk at all general elections." Read first and second time and referred to Judiciary Committee.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 133, 138, 174, 175, 193 and 194, beg leave to report same back as correctly enrolled. Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 133, 138, 174, 175, 193 and 194, and signed same in the presence of the House.

On motion of Baxter, House resolved itself into a Committee of the Whole for the consideration of General Orders.

#### GENERAL ORDERS.

Carll in the chair.

House resumed.

Speaker pro tem in the chair.

Lemmon: I move that the general debate of Committee of the Whole be limited to ten minutes, unless the members of the Committee wish otherwise.

Motion carried.

Lemmon: I move that the House resolve itself into a Committee of the Whole for the consideration of General Orders.

Motion carried.

#### GENERAL ORDERS.

Carll in the chair.

House resumed.

Speaker pro tem in the chair.

Hurd, from the Committee on Printing reported as follows.

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 215, 16, 232, 233, beg leave to report same back correctly printed.

Report adopted and Bills placed on General Orders.

On motion of Murray, House resolved itself into Committee of the Whole for consideration of General Orders.

#### GENERAL ORDERS.

Carll in the chair.

House resumed.

Mr. Speaker in the chair.

Carll, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 92, by Jones, entitled, "An Act to amend Section 3032 of the Montana Revised Codes of 1907, enumerating the instruments to be recorded by the County Clerk and Recorder, and the manner of recording the same, and providing for the validation of certain instruments heretofore recorded," report same back to the House with the recommendation that Section 1 thereof be amended by adding thereto the following: 'and any records, which have heretofore been recorded, or transcribed in any loose-leaf volume, meeting the requirements of this Act, are hereby declared to be valid records,' and that, as amended, Bill be concurred in.

Also, having had under consideration S. B. No. 33, by Stevens, entitled, "An Act to require railroad or railway companies to clean and cooper box cars placed for loading grain or other commodities subject to loss by leakage, and providing a penalty for non-compliance with the provisions of this Act," report same back to the House with the recommendation that Section 3 be amended by striking out "five dollars" and inserting in lieu thereof "three dollars," and that, as amended, Bill be concurred in.

Also, having had under consideration H. B. No. 259, by Committee on Appro-

priations, entitled, "An Act appropriating money for the bounty fund for the payment of certain bounty claims which were disallowed by the State Board of Examiners owing to technical errors in the proof," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 261, by Eaton, entitled, "An Act defining how mileage shall be computed," report same back to the House with the recommendation that same be amended by adding Section 3, to read as follows: "This Act shall be in full force and effect from and after its passage and approval," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 256, by Spain, entitled, "An Act to regulate the sale and distribution of tuberculin," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 91, by Bernard, entitled, "An Act making the Board of Railroad Commissioners of the State of Montana ex-officio a Public Service Commission for the regulation and control of certain public utilities, prescribing the manner in which such public utilities shall be regulated and controlled, requiring such public utilities to furnish reasonably adequate service and facilities, prohibiting unjust and unreasonable charges for service rendered by such public utilities, providing penalties for violation of the provisions of this Act, authorizing such Public Service Commission to appoint an expert engineer and to employ clerks and assistants and making an appropriation for carrying out the provisions of this Act," approved March 4, 1913, report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 135, By Kehoe, entitled, "An Act providing for the Commission-Manager plan of government for cities and towns, providing for the election of officers therein, defining their duties and powers and providing for their compensation," report same back to the House with the recommendation that same be amended as follows, to-wit:

Amend Section 2, line 4 of the printed Bill by striking out the word "fifty" and inserting the word "twenty-five."

Amend Section 26, line 353 of the printed Bill, by striking out the balance of the section following the word "nominations."

Amend Section 30, line 382 of the printed Bill, by changing the word "and" to "or" before the word "be."

Amend Section 46, line 488 of the printed Bill, by inserting the word "a" at the end of the line.

Amend Section 49, by striking out lines 513, 514 and 515.

Amend Section 71, line 853, by inserting the word "and" at the end of the line; and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 250, by Mason, entitled, "An Act requiring the publication in official county papers of the lists of adulterated and misbranded foods, beverages, candies, drugs and other preparations and products as reported by the State Board of Health," report same back to the House with the recommendation that it be re-referred to General Orders.

Also, having had under consideration H. B. No. 219, by McDonald, entitled, "An Act to create the Eighteenth Judicial District of the State of Montana to be composed of the counties of Teton and Toole; to change the boundaries of the Eighth Judicial District of the said State of Montana to conform thereto; and to provide for the appointment, powers, duties, term and compensation of the judge of the said Eighteenth Judicial District," report same back to the House with the recommendation that it be re-referred to the Judiciary Committee.

Also, having had under consideration H. B. No. 134, by Hurd, entitled, "An Act to provide for the letting of contracts for public printing, fixing the prices therefor, providing a penalty for violations of this Act, and to repeal Section 2897 of the Revised Codes of the State of Montana for 1907," report same back to the House with the recommendation that Section 1 thereof be amended by striking out in lines 166 and 167, the words "such contract for printing shall extend for a period of two years," and inserting in lieu thereof the words "no such contract for printing shall extend for a period of more than two years;" and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 269, by Deibel, entitled, "An

Act to amend Section 435 of the Revised Codes of the State of Montana, of 1907, relating to payment of salaries of officers," report same back to the House with the recommendation that it do pass.

Also, having had under consideraion H. B. No. 270, by Charles Andersen, "An Act to amend Section Two of Chapter 25, of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, 'An Act to secure for threshermen a lien upon grain and other crops threshed by them for their compensation, and to provide for the filing and foreclosing of said lien,'" report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 73, by Husser, entitled, "An Act providing for the redemption of property sold under mortgage foreclosure proceedings, or under a power of sale conferred in a mortgage, deed, deed of trust, or other conveyance of real property, executed to secure a debt or other obligation," report same back to the House with the recommendation that same be amended as follows, to-wit:

Amend Section 1, line 1, by striking out the word "this."

Amend Section 1, line 2, by inserting after the word "Chapter" the numerals and words as follows: "I, Title X of the Code of Civil Procedure."

Amend by adding at the end of line 21 of the printed Bill the following: "Provided, that the provisions of this Act shall not apply to a mortgage, deed of trust, or other conveyance executed and delivered prior to the approval of this Act."

Amend Section 2, by striking out in line 23, after the word "approval" the balance of line 23 and all of lines 24 and 25; and that, as amended, Bill do pass.

Also, having had under consideration H. J. M. No. 7, by McMahon, relating to policing Yellowstone National Park, report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. J. M. No. 8, by Eaton, entitled, "A Resolution memorializing Congress relative to the loaning of the funds of the Postal Savings Banks directly to the Public School Districts," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 327, by Lanstrum, entitled, "An Act to amend Section 2763 of the Revised Codes of the State of Montana," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 244, by Kemmis, entitled, "An Act appropriating the sum of five hundred seven dollars and thirty-three cents (\$507.33) to refund to certain retail liquor dealers in Richland County for unexpired portion of liquor licenses," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 267, by Stimpert, entitled, "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Section Four of Article XVI of the Constitution relating to County Commissioners," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 215, by Higgins, entitled, "An Act to equalize the opportunity for higher education to the youth of the State by authorizing the payment of traveling fare of students attending the institutions of the University of Montana, and making an appropriation therefor," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 16, by Stimpert, entitled, "An Act authorizing the State of Montana to become indebted in the sum of two hundred and fifty thousand dollars (\$250,000) in excess of the Constitutional limit and over and above any bonded indebtedness heretofore incurred and for which it is now obligated; providing for the issuance and sale of bonds in the name of the State to acquire funds for the purchasing or building of a terminal grain elevator with necessary equipment at Great Falls, Montana, to be owned, controlled and operated by the State and used for the storage and marketing of grain purchased in Montana; prescribing the form of such bonds; providing for the levying of a tax to pay the principal thereof and the interest accruing thereon; providing for the submission to the qualified electors at the next general election the question of the issuance of such bonds and prescribing the form



of the ballots to be used and the duties of the State Board of Examiners relative to the issuance of such bonds and the duties of the Secretary of the State relative to the submission of said question to the qualified electors," report same back to the House with the recommendation that Section 4 thereof be amended by striking out in line 31 the words and figures "one (1)" and inserting in lieu thereof the words "two and one-half ( $2\frac{1}{2}$ )," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 232, by Bernard, entitled, "An Act to provide for teacher training in certain accredited high schools, to license the graduates thereof to teach in the public schools of the State of Montana under certain conditions, and appropriating money therefor," report same back to the House with the recommendation that Section 1 thereof be amended by striking out in line 2, the word "county" after the word "six" and that a corresponding change be made throughout the Bill, and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 242, by Belden, entitled, "An Act to provide for the publication, preservation and distribution of the debates and proceedings of the 1889 Constitutional Convention, and to appropriate money to pay therefor," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 233, by Husser, entitled, "A Bill giving to the State Board of Health power to require the analysis of waters furnished and sold to the public, and to provide rules and regulations for said analysis, and for the collection of samples of water, and to provide funds to cover the cost involved and to prescribe penalties for the violation of said rules and regulations," report same back to the House with the recommendation that it do pass."

Report adopted.

On motion of Jensen, House reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, having had under consideration House Bill No. 396, introduced by Committee on Highways, a Bill for an Act entitled, "An Act to amend Section 12 of Chapter 111 of Chapter 141 of the Laws of the Fourteenth Legislative Assembly, known as the General Highway Law relating to the classification and permanent improvement of public highways," respectfully beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Searles, from the Committee on Fish and Game, reported as follows:

Mr. Speaker: We, your Committee on Fish and Game, to whom was referred House Bill No. 295, by Oscar Anderson, entitled, "An Act to establish a Game Preserve in South Moccasin Mountains, Fergus County, Montana, for the protection of game animals and game birds, and providing penalties for the pursuing, hunting or killing of such animals or birds in such preserve," report same back to the House with the recommendation that the same do pass.

Report adopted and Bill referred to Printing Committee.

Shaw, from the Committee on Waterways and Navigation, reported as follows:

Mr. Speaker: Your Committee on Waterways and Navigation, to whom was referred House Bill No. 328, introduced by Larse, beg leave to report as follows: Beg leave to report same back to the House with the recommendation that same do pass.

Report adopted and Bill referred to Printing Committee.

Husser, from the Committee on Public Health and Sanitary Affairs, reported as follows:

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration S. B. No. 133, introduced by Joint Committee on Stock Growing and Grazing, being a Bill for an Act entitled, "An Act to provide for the appointment of the members of the Livestock Sanitary Board and prescribing their powers and duties; to provide for the appointment of Deputy

State Veterinary Surgeons, Inspectors, Specialists, and other agents of the Board, and prescribing their powers and duties; to provide regulations and methods for the eradication or prevention of disease, together with the destruction of other property and compensation therefor; to regulate public buck herds; to provide for tuberculin testing of dairy cattle, and other regulations for the protection of domestic animals and live stock; to prescribe penalties for the violation of this Act and to repeal Sections 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902 and 1903 of the Revised Codes of Montana, 1907; Chapter 146 of the Session Laws of 1911, Chapters 68, 90 and 123 of the Session Laws of 1913, and Chapters 9 and 140 of the Session Laws of 1915," respectfully beg leave to report as follows: That we recommend that Bill be concurred in.

- Report adopted and Bill placed on General Orders.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bills have been delivered to His Excellency, the Governor: February 15, 1917, at 3:00 P. M., House Bills Nos. 133, 138, 174, 175, 193 and 194.

On motion of Lanstrum, House adjourned until 9:30 A. M., Friday, February 16, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## FORTY-SEVENTH DAY

Friday, February 16, 1917.

House met at 9:30 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by the Chaplain.

Roll called. All members present.

Blodgett, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the forty-sixth day and find the same to be correct. Report adopted.

### NOTICES OF BILLS.

By Sektnan: "An Act to amend Section 4 of Chapter 136 of the Session Laws of 1909, entitled, "An Act to regulate common carriers, and to provide for certain appliances, rules and regulations looking to the safety of the traveling public and employees upon railway trains, and to confer upon the railroad commission of Montana certain powers relating thereto."

By Harbert: "An Act relating to the State quit claiming interests it may have in lands lying between high and low water marks on navigable lakes within the state to the abutting property owners."

By Ironside: "An Act to prohibit the use of running boards on street cars and to punish violations of this Act."

By Carl and Ironside: "An Act to amend Section 1582 of the Revised Codes of the State of Montana as amended by Chapter 132 of the Session Laws of 1909, relating to the practice of dentistry in the State of Montana."

By Wheat: "An Act providing for the establishment of public rating bureaus and defining their powers and methods of conducting business; providing for inquiries into such rating bureaus by the insurance commissioner; providing for review of rates by insurance commissioner; providing against unfair discrimination in rates; providing for chief examiners for rating bureaus and prescribing their duties; providing for filing with insurance commissioner by insurance companies of schedules of rates; providing for inspection of risks by rating bureaus; providing for filing with insurance commissioners of short rate

tables for cancellation of policies; providing against demoralization of business; providing entire act not to be affected by unconstitutionality of part thereof; providing for penalty for violation of Act by insurance companies; providing for penalty for violation of Act by agent or other representative; repealing laws in conflict with this Act."

By Wheat: "An Act to amend Sub-Section 1 of Section 4016 of the Revised Codes of Montana, 1907, pertaining to the kinds of business which insurance corporations may do in Montana."

By Huffaker and Working: "An Act amending Sections 1, 2, 3, 6 and 10, of Chapter 143 of the Laws of the Fourteenth Legislative Assembly, relating to improvement districts for lighting streets."

By Kemmis: "An Act to authorize and direct the State Board of Education to establish in connection with the Montana Agricultural Experiment Station, a sub-station in Eastern Montana."

By O'Brien: "An Act to amend Sections 1 and 2 of Chapter 59 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, and fixing the time for the opening and closing of saloons, in the counties of the first class in the State of Montana."

By McQuarrie: "An Act appropriating money for the payment of a claim of John Eisman and E. Jacot for cows slaughtered at the direction of the State Veterinary Surgeon."

By McClory: "An Act entitled an Act to amend Section 7321 of the Revised Codes relating to eminent domain."

By Blake: "An Act to authorize the State Auditor to employ a warrant clerk and fixing his salary."

#### REPORTS OF STANDING COMMITTEES.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred Substitute House Bill No. 199, House Bills Nos. 269, 259, 327, 267, 244, 233, 232, 256, 261, 215, 73, 242, 270, House Joint Resolution No. 8 and House Joint Memorial No. 7, beg leave to report same back as correctly engrossed."

Report adopted and Bills, Resolution and Memorial placed on Calendar for Third Reading.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 382, entitled, "An Act providing for levying a tax upon the net income of corporations, and providing the method of collection of same, to be known as the State Corporation Income Tax," respectfully beg leave to report as follows: That the Bill be referred back to the House with the recommendation that it be printed and returned to the Committee."

Report adopted and Bill referred to Printing Committee.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, having had under consideration House Bill No. 37, entitled, "An Act to amend Section 7724 of the Revised Codes of Montana, and providing for the payment of an inheritance tax upon real property, as well as personal property, when the same passes to direct heirs," respectfully beg leave to report as follows: That the Bill be referred back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Morris, from the Committee on Livestock and Public Ranges, reported as follows:

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 392, introduced by Cotter, a Bill for an Act entitled, "An Act to provide for the creation of trespass districts on certain lanes and highways, and to prohibit livestock from running at large therein, and fixing the penalty therefor, and defining the boundaries thereof, and repealing all Acts and parts of Acts in conflict herewith," respectfully beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Larse, from the Committee on Railroads and Transportation, reported as follows:

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration Substitute H. B. No. 77, by Holt, a Bill for an Act entitled, "An Act to regulate intrastate freight transportation by railroad companies doing business in the State of Montana," beg leave to report the same back with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Larse, from the Committee on Railroads and Transportation, reported as follows:

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 379, introduced by Arneson, a Bill for an Act entitled, "An Act to amend Section 4349 of the Revised Codes of the State of Montana, relating to passenger fares for traveling upon railway trains," respectfully beg leave to report as follows: That this Bill do pass.

Report adopted and Bill referred to Printing Committee.

### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 407, introduced by Cutts: A Bill for an Act entitled, "An Act to amend Section two of Chapter 73 of the Session Laws of 1913, entitled, "An Act providing for the registration, identification and regulation of motor vehicles, operated and driven upon the public roads and highways of this State." Read first and second time and referred to Committee on Cities and Towns.

H. B. No. 408, introduced by Anderson: A Bill for an Act entitled, "An Act providing that where there are two or more voting places in one voting precinct in any county of this State that the registered voter may designate at which voting place he desires to vote, and directing the County Clerk to make such change on the books and lists of the county." Read first and second time and referred to Judiciary Committee.

H. B. No. 409, introduced by Belden: A Bill for an Act entitled, "An Act construing, interpreting and settling ambiguities or doubt arising from the provisions of Section 4044, Revised Codes of Montana, 1907, relating to the amount of the capital stock of Insurance Corporations other than Life Insurance Corporations; and Section 4050, Revised Codes of Montana, 1907, as amended by Chapter 48 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, and Chapter 114 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, relating to the classification of insurance corporations, granting certain powers thereunder and providing certain restrictions and exceptions in connection therewith; and Section 4062, Revised Codes of Montana of 1907, as amended by Chapter 37 of the Session Laws of the Thirteenth Legislative Assembly relating to the manner in which insurance companies, associations, or partnerships may transact business in the State of Montana, and relating to the capitalization of such insurance companies, both foreign and domestic." Read first and second time and referred to Committee on Corporations other than Municipal.

H. B. No. 410, introduced by Husser: A Bill for an Act entitled, "An Act to amend Section 919, Article 10 of the Revised Codes of the State of Montana of 1907, defining the manner of establishing a County Free High School." Read first and second time and referred to Judiciary Committee.

H. B. No. 411, introduced by Murray: A Bill for an Act entitled, "An Act relating to advertising by dentists, and providing penalties for violations thereof." Read first and second time and referred to Committee on State Boards and Officers.

H. B. No. 412, introduced by Davis: A Bill for an Act entitled, "An Act to require or enforce the refund of excess passenger fares collected by railroads and common carriers in the State of Montana, and providing for the disposition of said funds for the benefit of the public school system of the State of Montana." Read first and second time and referred to Committee on Railroads and Transportation.

H. J. M. No. 9, introduced by Husser. Pertaining to the franking of Board of Health matter. Read first and second time and referred to Judiciary Committee:



## READING OF SENATE BILLS.

S. B. No. 65, read first and second time and referred to Judiciary Committee.

S. B. No. 116, read first and second time, and referred to Judiciary Committee.

S. B. No. 118, read first and second time, and referred to Judiciary Committee.

S. B. No. 130, read first and second time, and referred to Committee on Waterways and Navigation.

S. B. No. 134, read first and second time, and referred to Committee on Judiciary.

S. B. No. 147, read first and second time, and referred to Committee on Judiciary.

S. B. No. 62, read first and second time, and referred to Committee on Judiciary.

S. B. No. 74, read first and second time, and referred to Committee on Fish and Game.

S. B. No. 108, read first and second time, and referred to Committee on Irrigation and Water Rights.

S. B. No. 141, read first and second time, and referred to Committee on Education.

S. B. No. 146, read first and second time, and referred to Committee on Judiciary.

S. B. No. 148, read first and second time and referred to Committee on Judiciary.

S. B. No. 155, read first and second time at length, and referred to Committee on Appropriations.

S. B. No. 164, read first and second time and referred to Committee on Education.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 264, 236, 313, 284, 159, 184, 180, 315 and 290 beg leave to report same back correctly printed."

Report adopted and Bills placed on General Orders.

## MOTIONS AND RESOLUTIONS.

Kehoe: I move that H. B. No. 135 be considered correctly engrossed. Motion carried.

Cutts: I move that hereafter all unamended Bills reported from the Committee of the Whole House be considered as engrossed and immediately placed on the Board for Third Reading. Motion carried.

## CONSIDERATION OF MESSAGES FROM THE GOVERNOR AND SENATE.

The following communications were received from Governor and Senate:

Executive Office, Helena, Montana. February 15, 1917.

The Speaker of the House of Representatives, Helena, Montana.

I have the honor to advise you that I have this day approved the following House measures:

H. B. 23—An Act to prohibit gambling on games played upon pool and billiard tables.

H. B. 29—Relating to hours of labor for municipalities, mines, mills and smelters.

H. B. 42—Relating to furnishing medical attendance to sick, poor and infirm of the county and to inmates of county jails.

H. B. 87—Providing for an additional judge for the Tenth Judicial District.

H. B. 123—Defining the boundary line between Dawson and Rosebud Counties.

H. B. 127—Authorizing cities and towns to maintain playgrounds, etc.

H. B. 138—Appropriating money for the fish hatcheries of the State.

H. B. 174—Relating to aiding escapes from the State Industrial School.

H. B. 175—Relating to release, parole or pardon of inmates of the State Industrial School.

H. B. 194—Relating to notice of application for tax deeds.

S. V. STEWART, Governor.

Executive Office, Helena, Montana, February 15, 1917.

The Speaker of the House of Representatives, Helena, Montana.

I have the honor to advise you that I have this day approved House Bill No. 193, "An Act to amend Section 1564, the Revised Codes of 1907, as the same appears after amendment by Chapter 66 of the Session Laws of the Twelfth Legislative Assembly, relating to the pollution of water supply."

S. V. STEWART, Governor.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Measures were this day read first and second times and referred as follows:

H. B. No. 192, by McMahon, providing for the inspection of all mines, referred to Committee on Mines and Mining.

H. B. No. 239, by Stimpert, prohibiting unfair competition in buying, selling, manufacturing, etc., of any commodity, referred to Committee on Judiciary.

H. B. No. 245, by Eaton, providing the number of times orders, rules, summons and notices shall be published, referred to Committee on Judiciary.

H. B. No. 145, by Duffy, providing for dimmers on lights of all electric motor driven vehicles, referred to Committee on Railroads and Transportation.

H. B. No. 221, by Husser, providing for a marriage license fee of \$2.00, referred to Committee on Judiciary.

H. B. No. 240, by Charles Andersen, adding that the study of elementary agriculture to the course of study in elementary schools, referred to Committee on Education.

H. B. No. 247, by Kemmis, providing for a High School Tax, referred to Committee on Education.

H. B. No. 171, by Committee on Fairs and Expositions, appointing a Fair Commission, referred to Committee on Counties and Towns.

H. B. No. 104, by Grimes, appropriating money to the County of Silver Bow, referred to Committee on Finance and Claims.

H. B. No. 230, by Gullidge, changing the dates upon which the school year shall begin and end, referred to Committee on Education.

H. B. No. 130, by Kehoe, providing for the licensing of architects and regulating practice of architecture, referred to Committee on Judiciary.

H. B. No. 246, by Eaton, defining mileage that may be collected by witnesses, referred to Committee on Judiciary.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion the President of the Senate this day appointed Roberts, Mershon and Lane, to confer with a like Committee of the House to consider Senate amendments to House Bill No. 72.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committee with recommendations: Committee on Printing reported Senate Bills Nos. 149 and No. 171, correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President pro tem of the Senate this day signed in open session the following measures:

S. B. No. 58, introduced by Jones.

S. B. No. 76, introduced by Oliver.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Measures were this day reported from Standing Committees with recommendations:

Committee on Sanitary Affairs reported H. B. No. 81, by Holt, relating to drinking fountains, with the recommendation that the same be concurred in. Report adopted.

Also reported H. B. No. 98, by Carll, relating to optometry, with the recommendation that the same be concurred in. Report adopted.

Committee on Dairies and Dairying reported H. B. No. 216, by Deibel, relating to State Board of Health, with the recommendation that the same be concurred in. Report adopted.

Committee on Judiciary reported H. B. No. 161, by Carll, relating to schools, with the recommendation that the same be concurred in. Report adopted.

Also reported H. B. No. 217, by Murray, relating to compensation of legislative employees, with the recommendation that the same be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Measures were this day reported from Standing Committees with recommendations:

Committee on Public Morals reported H. B. No. 176, by Lewis, relating to gambling, with the recommendation that the same be concurred in. Report adopted.

Committee on Finance and Claims reported H. B. No. 195, by Brooks, relating to fish hatchery, with the recommendation that the Bill be concurred in. Report adopted.

Committee on Counties and Towns reported H. B. No. 137, by Working, relating to platting of towns, with the recommendation that the same be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following notice of a Bill was this day given:

By Kane: "An Act to provide for the payment of wages of employees and to provide penalties for violation hereof."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 182, Clay: "An Act to amend Section 9589 of the Revised Codes of Montana relating to changes of venue." Referred to Committee on Judiciary.

S. B. No. 183, Clay: "An Act providing that a person who shall cut a brand from a hide, or mutilate the same or who possesses or conceals a hide so cut, mutilated or concealed, with intent to prevent the identification of the hide, is guilty of a felony and prescribing punishment therefor." Referred to Committee on Stock Growing.

S. B. No. 184, Kane: "An Act to provide for the non-partisan nomination and election for judicial offices in the State of Montana, and prohibiting partisan political nomination for judicial offices." Referred to Committee on Election and Privileges.

S. B. No. 185, Healey: "An Act relating to and authorizing the framing and adoption of its own charter for its government and home rule as a city or town by any incorporated city or town; providing for the appointment of a charter commission, its duties and powers; defining the scope and limitations of such charters, and providing for subsisting rights and succession, and abandonment of such charter." Referred to Committee on Counties and Towns.

S. B. No. 186, Morris: "An Act requiring the deposit of all monies collected by State Officers or Boards with the State Treasurer, and prescribing the duties of the State Treasurer and State Auditor or with reference to the issuance and payments of warrants." Referred to Committee on Judiciary.

S. B. No. 187, Meadors: "An Act permitting the formation of an irrigation district including lands lying in Montana and another state, and the management of said district to be under the State having the major portion of the land and providing that the distribution of water and assessments be equitable." Referred to Committee on Irrigation.

S. B. No. 188, Roberts: "An Act amending Section 459 of the Revised Codes of Montana, 1907, fixing the compensation of Boards of Election." Referred to Committee on Election and Privileges.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Measures were this day reported from Standing Committees with recommendations:

Committee on Corporations other than Municipal reported Senate Bill No. 90, introduced by Healy, with the recommendation that the same do not pass. Report adopted.

Also reported S. B. No. 178, introduced by O'Shea, with the recommendation that the same do pass. Report adopted.

Committee on Counties and Towns majority reported S. B. No. 12, introduced by Oliver, with the recommendation that the Bill do pass. Report adopted.

Committee on Compensation reported S. B. No. 17, introduced by O'Shea, recommending that the Bill be amended and that as amended the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day reported from Standing Committees with recommendations:

Committee on Judiciary reported S. B. No. 150, introduced by Kinney, with the recommendation that the same do pass. Report adopted.

Also S. B. No. 81, introduced by Edwards, with the recommendation that the same do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following measures were this day reported for Standing Committees with recommendations:

Committee on Counties and Towns reported S. B. No. 105, introduced by Hogan, relating to sewers, with the recommendation that the Bill be printed. Report adopted.

Also submitted a minority report on S. B. No. 68, introduced by Oliver, relating to new counties, with the recommendation that the Bill do not pass. Report adopted.

Committee on Railroads and Transportation reported S. B. No. 181, by Ellingson, relating to railway fares, with the recommendation that the Bill do pass. Report adopted.

Committee on Engrossed Bills reported S. B. Nos. 66, 116, 130, 134, 147 and 118 correctly engrossed. Report adopted.

Committee on Printing reported S. B. Nos. 163, 91, 166, 137 and 21 correctly printed. Report adopted.

Committee on Enrollment reported S. B. Nos. 58 and 76 correctly enrolled. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 15, 1917.



Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 189, Substitute for S. B. No. 144, Roberts: "An Act to provide normal training course and junior college courses in High schools; providing that such High schools shall be free to all children of the respective counties, fixing requirement upon which teachers' certificates may be issued after July 1st, 1920, and providing that certain expenditures for such purposes shall first be submitted to a vote of the qualified electors." Referred to Committee on Printing.

S. B. No. 190, O'Shea: "An Act to create free employment offices, to provide that the Commissioner of Labor and Industry shall be ex-officio state employment agent; and that the county clerks shall maintain offices wherein the worthy unemployed may register; and to define the duties of the county clerk and the Board of County Commissioners in relation thereto." Referred to Committee on Judiciary.

S. B. No. 191, Hurd and Oliver: "An Act authorizing and directing the contracting of liability of the State of Montana, by the issuance of its State bonds in sum not to exceed one million dollars (\$1,000,000) and for the sale of said bonds to provide means for the building and furnishing and other equipment of the State University, State Agricultural College, the State School of Mines and for the State Normal School, and for additional normal schools, their building, furnishing and their equipment and to provide for the payment of said bonds and the interest accruing thereon." Referred to Committee on Finance and Claims.

S. B. No. 192, Hurd and Oliver. "An Act to submit to the qualified voters of the State of Montana at the general election held in such State in the year 1918, the question of the ratification of an Act of the Fifteenth Legislative Assembly of this State, authorizing and directing the contracting of the liability of the State of Montana by the issuance of its state bonds in sum not to exceed one million dollars (\$1,000,000) and for the sale of said bonds to provide means for the building and furnishing and other equipment of the State University, State Agricultural College, the State School of Mines, and for the State Normal School, and for additional normal schools, their building, furnishing and their equipment, and to provide for the payment of said bonds and the interest accruing thereon." Referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills having been read three several times and concurred in, titles agreed to, are herewith returned:

H. B. No. 82, by Rainey.

H. B. No. 152, by Ward.

H. B. No. 153, by Huffaker.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills having this day been read three several times and passed, titles agreed to, are herewith transmitted to your Honorable Body for concurrence:

S. B. No. 66, introduced by McCone.

S. B. No. 116, introduced by Roberts.

S. B. No. 118, introduced by Healy.

S. B. No. 130, introduced by Featherly.

S. B. No. 134, introduced by Haley.

S. B. No. 147, introduced by Williams and Gnose.

S. B. No. 62, introduced by McCone.

S. B. No. 74, introduced by Lane.

S. B. No. 108, introduced by Committee on Irrigation and Water Rights.

S. B. No. 141, introduced by Roberts.

S. B. No. 146, introduced by Lane.

S. B. No. 148, introduced by Edwards.

S. B. No. 155, introduced by Burla.

S. B. No. 164, introduced by Whiteside.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole Senate this day reported favorably H. J. M. No. 1, introduced by Bernard. Report adopted and same is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were reported from Standing Committees this day with recommendations:

Committee on Education reported Senate Bill No. 173, by Mershon, with the recommendation that the Bill do pass. Report adopted.

Also reported S. B. No. 144, by Roberts, by submitting a substitute Bill, with the recommendation that the same be referred to the Printing Committee and that the same do pass. Report adopted.

Committee on Printing reported S. B. No. 142, correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills having been read three several times and concurred in as amended, titles agreed to, are herewith transmitted to your Honorable Body for concurrence in Senate amendments:

H. B. No. 38, introduced by Jones.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President pro tem of the Senate this day signed in open session the following House Bills:

H. B. No. 174, by Deibel.

H. B. No. 194, by Huffaker.

H. B. No. 133, by Farmer.

H. B. No. 175, by Deibel.

H. B. No. 195, by Griffin.

H. B. No. 138, by Searles.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 15, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President pro tem of the Senate this day signed in open session the following measures:

S. B. No. 8, introduced by Oliver.

S. B. No. 95, introduced by Slayton.

S. B. No. 19, introduced by Burlingame.

Respectfully,

J. F. CONE, Secretary of the Senate.

### THIRD READING OF SENATE BILLS.

S. B. No. 92, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Anderson (Oscar W.), Baldwin, Ball, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Holt, Huffaker, Hurd, Husser, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Mason, Middleton, Mor-

ris, Morrow, Murray, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, White—72.

Noes: None.

Absent and not voting: Andersen (Charles), Andrew, Arneson, Ashby, Baxter, Belden, Bent, Blodgett, Dodds, Eliel, Grimes, Henderson, Higgins, Husser, Ironside, McClory, McMillan, O'Brien, Rasmussen, Spain, Wheat, Working: Mr. Speaker present but not voting—23.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 33, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Anderson (Oscar W.), Ashby, Baldwin, Ball, Baxter, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White—76.

Noes: Hawks—1.

Absent and not voting: Andersen (Charles), Andrew, Arneson, Belden, Bent, Bernard, Blake, Blodgett, Brooks, Dodds, Eliel, Griffin, Higgins, McClory, Rasmussen, Spain, Working: Mr. Speaker present but not voting—18.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

### THIRD READING OF HOUSE BILLS.

H. B. No. 242, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White—84.

Noes: Rainey—1.

Absent and not voting: Andersen (Charles), Andrew, Brooks, Deibel, Eliel, Higgins, Rainey, Spain, Working: Mr. Speaker present but not voting—10.

Title agreed to and Bill transmitted to Senate for concurrence.

H. J. M. No. 8, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Dodds, Duffy, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White—84.

Noes: None.

Absent and not voting: Andersen (Charles), Andrew, Brooks, Demel, Eliel, Griffin, Higgins, Rasmussen, Spain, Working: Mr. Speaker present but not voting—11.

Title agreed to and Memorial transmitted to Senate for concurrence.

H. B. No. 244, having been read three several times, was passed by the following vote:

Ayes: Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Cutts, Deibel, Dodds, Duffy, Eaton, Farmer, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White—76.

Noes: Hathaway—1.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Belden, Blodgett, Brooks, Crismas, Davis, Demel, Eliel, Fishbaugh, Griffin, Hawks, Higgins, O'Brien, Searles, Spain, Working; Mr. Speaker present but not voting—18.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 261, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White—84.

Noes: Rainey—1.

Absent and not voting: Andersen (Charles), Bent, Brooks, Eliel, Griffin, Kehoe, Kelsey, Spain, Working; Mr. Speaker present but not voting—10.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 270, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Eaton, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, Wheat, White, Working—81.

Noes: Bent, Page, Rainey—3.

Absent and not voting: Baxter, Belden, Brooks, Duffy, Eliel, Griffin, McMahon, McMillan, Spain, Ward; Mr. Speaker present but not voting—11.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 73, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Bent, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Hurd, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—74.



Noes: Arneson, Baxter, Huffaker, Phelps—4.

Absent and not voting: Andersen (Charles), Belden, Bernard, Brooks, Cutts, Davis, Deibel, Eliel, Gould, Griffin, Grimes, Husser, Ingalls, McClory, O'Brien, Spain; Mr. Speaker present but not voting—17.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 267, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Blake, Booth, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Crismas, Crowley, Deibel, Davis, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Huffaker, Hurd, Husser, Ironside, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lewis, Lusk, McClory, McDonald, McMahon, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Rainey, Sand, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, White, Working—65.

Noes: Buell of Missoula, Clark, Farmer, Grimes, Henderson, Higgins, Holt, Jensen, Johnson of Deer Lodge, Kemmis, Lemmon, McMillan, McQuarrie, Quaintance, Scott—15.

Absent and not voting: Andersen (Charles), Belden, Bernard, Blodgett, Brooks, Cotter, Cutts, Eliel, Gould, Griffin, Ingalls, Rasmussen, Spain, Wheat; Mr. Speaker present but not voting—15.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 215, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Ashby, Baldwin, Ball, Bent, Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Burnworth, Connolly, Crismas, Cutts, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gullidge, Harbert, Harmon, Hathaway, Hawks, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Lanstrum, Lemmon, Lusk, McClory, McMahon, McQuarrie, Mason, Middleton, Murray, O'Brien, Prosser, Scott, Searles, Stimpert, Weil, Wheat, Working—52.

Noes: Andrew, Arneson, Blodgett, Buchanan, Carll, Crowley, Davis, Deibel, Demel, Farmer, Gould, Grimes, Henderson, Henry, Kelsey, Kemmis, Larse, Lewis, McMillan, Morrow, Page, Phelps, Quaintance, Rainey, Rasmussen, Sand, Sektnan, Shaw—28.

Absent and not voting: Andersen (Charles), Baxter, Belden, Brooks, Clark, Cotter, Eliel, Griffin, Ironside, McDonald, Morris, Spain, Ward, White; Mr. Speaker present but not voting—15.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 256, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McClory, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Stimpert, Ward, Weil, Wheat, White, Working—83.

Noes: None.

Absent and not voting: Andersen (Charles), Belden, Brooks, Deibel, Eliel, Griffin, Lewis, McDonald, McQuarrie, Shaw, Spain; Mr. Speaker present but not voting—12.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 232, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Cutts, Davis,

Demel, Dodds, Eaton, Farmer, Fishbaugh, Fuller, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, O'Brien, Page, Phelps, Prosser, Rasmussen, Sand, Scott, Searles, Sektnan, Stimpert, Weil, Working—74.

Noes: Connolly, Deibel, Gould, Murray, Quaintance, Rainey, Wheat—7.

Absent and not voting: Andersen (Charles), Belden, Brooks, Duffy, Eliel, Griffin, Jones, McDonald, Morris, Shaw, Spain, Ward, White; Mr. Speaker present but not voting—14.

Title agreed to and Bill transmitted to Senate for concurrence.

H. J. M. No. 7, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Crismas, Cutts, Davis, Deibel, Demel, Dodds, Eaton, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—82.

Noes: Booth, Connolly, Crowley, Duffy, Farmer—5.

Absent and not voting: Brooks, Cotter, Eliel, Griffin, Jones, Middleton, Spain; Mr. Speaker present but not voting—8.

Title agreed to and Memorial transmitted to Senate for concurrence.

H. B. No. 327, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Mr. Speaker—84.

Noes: None.

Absent and not voting: Andersen (Charles), Belden, Brooks, Cotter, Eliel, Griffin, Higgins, Jones, Mason, Spain, Working—11.

Title agreed to and Bill transmitted to the Senate for concurrence.

H. B. No. 259, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White—86.

Noes: None.

Absent and not voting: Andersen (Charles), Belden, Brooks, Eliel, Griffin, Jones, Spain, Working; Mr. Speaker present but not voting—9.

Title agreed to and Bill transmitted to the Senate for concurrence.

H. B. No. 269, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White—86.

Noes: None.

Absent and not voting: Andersen (Charles), Belden, Brooks, Eliel, Griffin, Mason, Spain, Working; Mr. Speaker present but not voting—9.

Title agreed to and Bill transmitted to the Senate for concurrence.

H. B. No. 233, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, Wheat, Working—85.

Noes: None.

Absent and not voting: Andersen (Charles), Belden, Brooks, Eliel, Larse, McClory, Spain, Ward, White; Mr. Speaker present but not voting—10.

Title agreed to and Bill transmitted to the Senate for concurrence.

McMahon: I move that Substitute H. B. 199 be referred to General Orders.

Higgins: I move to lay the motion upon the table.

Motion carried.

Substitute H. B. No. 199, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Connolly, Cotter, Crowley, Cutts, Carll, Dodds, Duffy, Farmer, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Lanstrum, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Morris, Murray, O'Brien, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Shaw, Stimpert, Ward, Weil, Wheat, Working—61.

Noes: Baxter, Burnworth, Demel, Fishbaugh, Hawks, Henry, Kelsey, Morrow, Page, Phelps—10.

Absent and not voting: Andersen (Charles), Andrew, Belden, Bent, Blodgett, Brooks, Clark, Crismas, Davis, Deibel, Eaton, Eliel, Griffin, Henderson, Husser, Kehoe, Kemmis, Larse, McClory, Middleton, Sektnan, Spain, White; Mr. Speaker present but not voting—24.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 135, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Ashby, Ball, Bent, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy,

Eaton, Farmer, Fishbaugh, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—79.

Noes: None.

Absent and not voting: Andersen (Charles), Baldwin, Baxter, Belden, Bernard, Blodgett, Brooks, Eliel, Fuller, Griffin, Holt, Hurd, Husser, Lemmon, Spain; Mr. Speaker present but not voting—16.

Title agreed to and Bill transmitted to Senate for concurrence.

Connolly, from the Committee on Engrossing, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 91, introduced by Bernard, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on third reading.

H. B. No. 91, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Ashby, Baldwin, Bernard, Blake, Booth, Burnworth, Clark, Cotter, Crismas, Davis, Demel, Dodds, Eaton, Harbert, Harmon, Henderson, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnston of Ravalli, Kehoe, Kemmis, Lanstrum, Larse, Lewis, McMillan, Mason, Middleton, Morris, Morrow, Murray, Page, Phelps, Prosser, Rasmussen, Scott, Shaw, Stimpert, Wheat, Working—45.

Noes: Andrew, Arneson, Ball, Baxter, Buell of Missoula, Buell of Gallatin, Buchanan, Connolly, Crowley, Cutts, Deibel, Duffy, Fuller, Gould, Grimes, Gullidge, Hathaway, Hawks, Henry, Johnson of Deer Lodge, Kelsey, Lemmon, Lusk, McDonald, McMahon, McQuarrie, O'Brien, Quaintance, Rainey, Sand, Searles, Ward, Weil, Mr. Speaker—34.

Absent and not voting: Andersen (Charles), Belden, Bent, Blodgett, Brooks, Carll, Eliel, Farmer, Fishbaugh, Griffin, Holt, Jones, McClory, Sektnan, Spain, White—16.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Bent, House reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

Husser, from the Committee on Public Health and Sanitary Affairs, reported as follows:

Mr. Speaker: We, your Committee on Public Health and Sanitary Affairs, having had under consideration House Bill No. 350, introduced by Crowley, being a Bill for an Act entitled, "An Act relating to funeral, burial and benefit associations and declaring them to be insurance corporations," respectfully beg leave to report as follows: That we recommend that Bill do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 378, by White, entitled, "An Act to amend Section 9745 of the Revised Codes of 1907, relating to the compensation of sheriffs for delivering prisoners at the State prison," beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 335, by Holt, a Bill for an Act entitled, "An Act to amend Section 1, Chapter 83, of the Session Laws of the Fourteenth Legislative Assembly, entitled, "An Act permitting stockholders of co-operative associations to vote by mail and providing for the declaring of dividends and distribution of net earnings and extending the provisions of this Act to co-operative associations heretofore



incorporated," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 249, by Blodgett, entitled, "An Act to repeal Title XL of Part II of the Civil Procedure of the Revised Codes of Montana of 1907, including therein Sections 6986 to 7091, inclusive, of the Revised Codes and to repeal said Sections relating to proceedings in Justices' Courts, and to enact in the place of said repealed title and Sections, a title to be known as Title XI of Part II of the Code of Civil Procedure of the Revised Codes of Montana, of 1907, relating to proceedings in Justices' Courts, being a Code of Civil Procedure for Justice Courts, containing in said Title, Chapters, Articles and Sections, the Section number of the Title here enacted, taking the place of the numbers of said repealed Sections," beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 376, by White, entitled, "An Act to amend Section 4331 of the Revised Codes of 1907, relating to the certificate of an agent of a transportation company authorizing such agent to sell tickets, and the license issued by the Secretary of State to such agent," beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred Senate Bill No. 139, by Joint Committee on Stock Growing and Grazing, entitled, "An Act to amend Section 1904 of the Revised Codes of Montana of 1907, as the same appears after amendment by the provisions of Chapter 50 of the Laws of the Twelfth Legislative Assembly, relating to bounty on predatory animals," beg leave to report as follows: That this Bill be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 352, by Mason, a Bill for an Act entitled, "An Act relating to the State Board of Equalization, defining its powers and prescribing its duties; making an appropriation therefor; and repealing Sections 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591 and 2592 of the Revised Codes of Montana, 1907," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 222, by Holt, a Bill for an Act entitled, "An Act to regulate the use of the term 'co-operative,' 'co-operation,' 'co-operator' or 'farmer' when used as a part of a corporated business name or title," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 377, by White, entitled, "An Act to amend Section 4 of Chapter 80, of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, relating to the fee of the Secretary of State for issuing a license to sell coal," beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 400, by Murray, Hathaway and Mason, a Bill for an Act entitled, "An Act relating to a mother's pension and for the care of dependent children, etc.," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred Senate Bill No. 102, by Williams, entitled, "An Act authorizing the State Board of Prison Commissioners to adopt rules and regulations allowing additional good time in addition to that provided by statute for good conduct to convicts employed on public roads or other public works, and providing a penalty for violation of such rules," beg leave to report as follows: That it be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill referred to General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 223, by Husser, a Bill for an Act entitled, "An Act to create a child welfare division to be under the direct supervision of the State Board of Health, prescribing its duties and powers and providing for its maintenance," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 385, by Holt, entitled, "An Act to amend Section 4215 of the Revised Codes of Montana of 1907, to be entitled by-laws and Board of Directors, and to amend Section 4220 of the Revised Codes of Montana," beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 358, by Scott, a Bill for an Act entitled, "An Act to amend Section 1291 of the Revised Codes of Montana, 1907, as amended by Chapter 93 of the Laws of the Thirteenth Legislative Assembly relating to the admission into the State Home of wives or widows of soldiers and sailors," respectfully beg leave to report as follows: That same be amended by striking out the word "sailors" in line 9 of Section 1, and insert in lieu thereof the words "soldiers or sailors," and that it be reported back to the House with the recommendation that it do pass, as amended.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 366, by Middleton, entitled, "An Act to provide for the disqualification of judges in criminal cases," beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 372, by Middleton, entitled, "An Act to amend Articles III, IV and V, of Chapter III, Part IV, Title III, Sections 7999 to 8014, of the Revised Codes of the State of Montana, A. D. 1907, relating to depositions and the manner of taking the same," beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 374, by Ingalls, a Bill for an Act entitled, "An Act to establish a State Vocational School for Girls, prescribing its objects and purposes, maintenance

and management, prescribing commitments thereto, appeals, commutations, paroles and discharges, laws for fugitives, aiding escapes and penalties therefor; providing for materials, supplies and appropriations for all of said purposes; also for empowering the State Board of Land Commissioners to sell or lease either land or buildings, or both, for the same," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it do pass.

Mason: I move the adoption of the report.

Kelsey: As a substitute, I move that further consideration of H. B. No. 374, be indefinitely postponed.

Cutts: I move, as a substitute for all pending motions, that H. B. No. 374 be referred to Appropriations Committee.

Motion carried and Bill referred to Appropriations Committee.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 82, 152 and 153, beg leave to report same back as correctly enrolled.

Report adopted.

Mr. Speaker notified the House that he was about to sign Senate Bills Nos. 19, 95, 8, 135, 11 and House Bills Nos. 152, 153 and 82, and signed same in the presence of the House.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 128, introduced by Demel and Scott, beg leave to report same back as correctly engrossed as to Senate amendments.

Report adopted and Bill referred to Enrolling Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 346, by Grimes, a Bill for an Act entitled, "An Act to amend Section 168 of the Revised Codes of the State of Montana, 1907, relating to the salary of the Secretary of State," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 367, by Middleton, entitled, "An Act to require the admission of the genuineness of papers, documents material to civil actions," beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 383, by Hathaway, a Bill for an Act entitled, "An Act to amend Chapter XVI of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, by adding thereto Section 1608 providing fire escapes for all school buildings of more than one story in height," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 364, by Stimpert, entitled, "An Act to amend Sections 500, 501, 502, 503, 504, 505, 510 and 512 of the Revised Codes of Montana of 1907, relating to judges and clerks of election and ballot boxes," beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House

Bill No. 360, entitled, "An Act to amend Section 6388 of Part I, Title V of the Revised Codes of Montana, of 1907, relating to practicing law without a license and prescribing a penalty therefor," beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 380, by Harmon, Buell, Johnston and Clark, a Bill for an Act entitled, "An Act to make sheriffs, deputy sheriffs and constables ex-officio deputy game and fish wardens and to define their duties, etc.," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 314, 316, 295, 279 and 83, beg leave to report same correctly printed.

Report adopted and Bills placed on General Orders.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 298, by White, a Bill for an Act entitled, "An Act appropriating money to pay a judgment obtained against the State of Montana by William B. Pomeroy, together with the interest thereon, which judgment was entered in the district court of Lewis and Clark County on the 12th day of September, 1913, and affirmed by the Supreme Court of the State of Montana, on June 12, 1913," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that, as amended, it be printed and placed on General Orders.

Report adopted and Bill referred to Printing Committee.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 320, introduced by Harmon, being "An Act to create a permanent fund to be known as the Anti-Hog Cholera Serum Fund, appropriating money from the General Fund, and prescribing the purpose for which such fund shall be used," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred Senate Bill No. 106, introduced by Stevens, being an Act to change the name of the Montana Grain Laboratory, to enlarge the duties of the laboratory and of the director thereof and to make an appropriation for the maintenance of the added duties of the laboratory, after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 291, introduced by Eaton, being a Bill for an Act entitled, "An Act to amend Section 201, Revised Codes of 1915, of the State of Montana, to change the name of Rural School Inspector to Rural School Supervisor and to provide for two Rural School Supervisors," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass as amended.

We recommend House Bill No. 291 be amended so that the title will read as follows: A Bill for an Act entitled, "An Act to amend Section 201 of Chapter Two of Chapter 76 of the Session Laws of 1913 of the State of Montana, relating to the official staff of the Superintendent of Public Instruction, by changing the name of Rural School Inspector to Rural School Supervisor and



to provide for two Rural School Supervisors." And that Section 1 be amended to read:

"Section 1. That, Section 201 of Chapter Two of Chapter 76 of the Session Laws of 1913 of the State of Montana be amended to read as follows:

Section 201. General Powers. Paragraph 1. He shall have the general supervision of the public schools of the State.

Official Staff. Paragraph 2. The Superintendent of Public Instruction shall have power to appoint one deputy, who shall receive an annual salary of twenty-one hundred dollars, two rural school supervisors at a salary of twenty-one hundred dollars each, and two clerks at an annual salary of twelve hundred dollars each. Such deputy, rural supervisors and clerks shall perform such duties pertaining to the office as the Superintendent may direct."

Report adopted and Bill referred to Printing Committee.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bills have been delivered to His Excellency, the Governor: February 16, 1917, at 12 A. M., House Bills Nos. 82, 152 and 153."

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred Senate Bill No. 112, introduced by Williams, being a Bill for an Act entitled, "An Act to amend Sections 1 and 3 of Chapter 86 of the Laws of the Fourteenth Legislative Assembly, being an Act to provide for financial aid in the care of dependent children in their own homes under the direct control of the mothers of such children, whose fathers are dead or inmates of some Montana State institution of charity or correction or who are physically or mentally unable to provide for said children, for a period of ninety days or more, or whose mothers are solely dependent upon their labor for support," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 342, introduced by McClory, being "An Act appropriating the sum of eight thousand dollars, or so much thereof as may be necessary to pay the claim of Michael Hasquet for sheep which were killed or died from defective dipping, dipped by the authority of the State of Montana," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that same do not pass.

Report adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 373, introduced by McClory, being a Bill for an Act entitled, "An Act appropriating the sum of one thousand three hundred and seventy (\$1370.00) dollars, or so much thereof as may be necessary to pay the claim of Sylvan Murray for sheep which were killed or died from defective dipping, dipped by the authority of the State of Montana," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass.

Report adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 399, introduced by Joint Sanitary Committee, being a Bill for an Act entitled, "An Act to amend Section 6, Chapter 120, of the Thirteenth Legislative Assembly of the State of Montana, entitled, 'An Act to create the State Board of Entomology, to define its powers and duties and appropriate money therefor,'" after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was re-

ferred House Bill No. 318, introduced by Wheat, being a Bill for an Act entitled, "An Act to appropriate fifteen hundred dollars to erect a monument marking the site of the discovery of gold in Alder Gulch, Madison County, and to commemorate that event and the discoveries," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Rainey, from the Committee on Irrigation and Water Rights, reported as follows:

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration House Bill No. 156, introduced by Committee on Conservation of Resources, a Bill for an Act entitled, "An Act to provide for the storing of flood waters and giving to the person erecting storage works or dams the right to the use and ownership of waters so stored," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that Section 1 thereof be amended by striking out in lines 19 and 20 after the word "saved" the following: "for a useful or beneficial purpose or for sale" and insert in lieu thereof the words, "for use or sale for a beneficial purpose."

Amend Section 2 by striking out in lines 27, 28 and 29 after the word "waste" in line 27, the following: "or a greater amount of water than flows therein at the low or intermediate stages of flow," and add thereto, in line 32, after the word "lost" the following: "provided nothing in this Act shall be construed as limiting or diminishing the vested right of any person to the waters of such stream or lake at such times and for the purpose appropriated."

Amend Section 3, in line 8, by inserting after the word "thereof" the following:

"Less the evaporation, seepage and loss, as ascertained under such rules and regulations as the State Engineer may prescribe or as are prescribed by law."

Amend Section 5, in line 29, by adding thereto, after the word "stored" the following: "after all allowance has been made for evaporation, seepage and loss as hereinbefore provided," and that, as amended, Bill do pass.

Report adopted and Bill referred to Printing Committee.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 310, introduced by Middleton, a Bill for an Act entitled, "An Act to create the county of Carter, designate its boundaries and provide for its organization and government and to change the boundaries of Rosebud and Big Horn Counties to conform thereto," beg leave to report that the same be amended as follows: By changing the word "Carter" to the word "Treasure" wherever it appears in the Bill.

Also amend Section 1, in line 19, by striking out all that follows after the word "north" in said line, including line 38, and insert in lieu thereof the following: "Thence east along said township line to where it intersects the range line between 38 and 39 East, thence south along said range line to where it intersects township line running between 1 and 2 North, same being the county line between Big Horn and Rosebud Counties, thence west along said line between Big Horn and Rosebud Counties to range line running between 37 and 38 East, thence north along said county line to the northeast corner of Section 25, Township Two North of Range Thirty-seven East, thence west on section line between Sections 24 and 25, 23 and 26, 22 and 27, 21 and 28, 20 and 29, and 19 and 30, to where said Section line intersects range line running between 36 and 37 North, thence following along county lines between Big Horn and Rosebud Counties to where same intersects the center of the channel of the Big Horn river, thence."

Amend Section 12 in line 5 by striking out the name of "B. F. Hertzler" and in lieu thereof insert the name of "Benjamin Hope."

Amend Section 13 by striking out the entire section.

And that as amended, we recommend the same do pass.

Bent: I move the adoption of the report.

Harmon: As a substitute, I move that the Bill be re-referred to the Committee on New Counties and Divisions.

Substitute motion lost by standing vote of 28 to 42 and report of Committee adopted.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill 401, introduced by Mason and Harbert, a Bill for an Act entitled, "An Act to create the County of Lake, designate the boundaries thereof, and to provide for its organization and government, and to provide for the selection of the county seat and the election of officers, and to change the boundaries of Flathead, Sanders and Missoula Counties to conform thereto," beg leave to recommend that the same do pass.

Bent: I move the adoption of the report.

Bernard: As a substitute, I move that H. B. No. 401 be re-referred to the Committee on New Counties and Divisions.

Substitute motion carried and Bill re-referred to Committee on New Counties and Divisions.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 281, introduced by McMillan, a Bill for an Act entitled, "An Act to create the County of River, designate its boundaries, and provide for its organization and government and to change the boundaries of Sheridan County to conform thereto," beg leave to report that we recommend the same do pass, as amended.

Report not adopted.

On motion of Lemmon, House recessed until 2:00 P. M.

#### AFTERNOON SESSION.

House reassembled at 2:00 P. M.

Mr. Speaker in the Chair.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 164 and 16, beg leave to report same back as correctly engrossed.

Report adopted and Bills placed on Calendar for Third Reading.

#### THIRD READING OF HOUSE BILLS.

On motion of Stimpert, seconded by fifteen members, a call of the House was ordered and the following members were found to be absent: Andersen (Charles), Anderson (Oscar W.), Arneson, Belden, Bent, Bernard, Blake, Blodgett, Carll, Cotter, Crowley, Deibel, Demel, Dodds, Duffy, Eliel, Harmon, Hathaway, Kemmis, Lemmon, McDonald, McMahon, Morris, O'Brien, Spain, Ward. The following members appeared upon the floor of the House: Bent, Cotter, Crowley, Demel, and on motion of Stimpert, call of the House was suspended.

H. B. No. 16, having been read three several times, was passed by the following vote:

Ayes: Andrew, Ashby, Ball, Baxter, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Connolly, Cotter, Crowley, Cutts, Davis, Dodds, Demel, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Harbert, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, McClory, McMahon, McQuarrie, Middleton, Morrow, Murray, O'Brien, Page, Prosser, Rainey, Sand, Scott, Searles, Sektnan, Stimpert, Weil, Wheat, White, Working—64.

Noes: Clark, Crismas, Deibel, Gullidge, Harmon, Hawks, Henderson, Higgins, Lusk, McMillan, Phelps, Quaintance, Rasmussen, Shaw—14.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Belden, Blodgett, Buell of Gallatin, Duffy, Eliel, Hathaway, Kemmis, McDonald, Mason, Morris, Spain, Ward; Mr. Speaker present but not voting—17.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 164, having been read three several times, was passed by the following vote:•

Ayes: Andrew, Arneson, Ashby, Ball, Bent, Blake, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Deibel, Demel, Dodds, Eaton, Farmer, Fishbaugh, Fuller, Gould, Gullidge, Harbert, Harmon, Hathaway, Henry, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Lanstrum, Larse, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Middleton, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Searles, Sektan, Shaw, Stimpert, Weil, White, Working—65.

Noes: Baxter, Booth, Cotter, Griffin, Hawks, Higgins, Holt, Kelsey, Phelps, Scott—10.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Baldwin, Belden, Bernard, Blodgett, Davis, Duffy, Eliel, Grimes, Henderson, Kemmis, Lemmon, McDonald, Mason, Morris, Spain, Ward, Wheat; Mr. Speaker present but not voting—20.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Grimes, House reverted to Fifth Order of Business.

#### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 413, introduced by Cutts: A Bill for an Act entitled, "An Act to provide a budget system for the control of all expenditures of state moneys." Read first and second time and referred to Committee on Ways and Means.

H. B. No. 414, introduced by McQuarrie: A Bill for an Act entitled, "An Act appropriating money for the payment of a claim of John Eigman and E. Jacot for cows slaughtered at the direction of the State Veterinary Surgeon." Read first and second time at length and referred to Appropriations Committee.

H. B. No. 415, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act providing for the payment of deficiency claims for the care of prisoners." Read first and second time at length and referred to Appropriations Committee.

H. B. No. 416, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act providing for the payment of deficiency claims for the care of the insane." Read first and second time at length and referred to Committee on Appropriations.

On motion of Lanstrum, House resolved itself into a Committee of the Whole for the consideration of General Orders, with debate limited to ten minutes, unless a majority of the Committee wished otherwise.

#### GENERAL ORDERS.

Rasmussen in the Chair.

House resumed.

Mr. Speaker in the Chair.

Rasmussen, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 51, by Gallwey, entitled, "An Act relating to and regulating the manufacturing, keeping, storage, transportation and sale of explosives, and providing penalties for any violation of the provisions thereof," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 133, by Joint Committee on Stock Growing and Grazing, entitled, "An Act to provide for the appointment of the members of the Live Stock Sanitary Board and prescribing their powers and duties; to provide for the appointment of Deputy State Veterinary Sur-



geons, Inspectors, Specialists, and other agents of the Board and prescribing their powers and duties; to provide regulations and methods for the eradication or prevention of disease in domestic or other animals, their quarantine, inspection and treatment; to provide for the destruction of animals diseased or exposed to disease, together with the destruction of other property, and compensation therefor; to regulate public buck herds; to provide for tuberculin testing of dairy cattle, and other regulations for the protection of domestic animals and live stock; to prescribe penalties for the violation of this Act and to repeal Sections 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902 and 1903 of the Revised Codes of Montana, 1907; Chapter 146 of the Session Laws of 1911; Chapters 68, 90 and 123 of the Session Laws of 1913; and Chapters 9 and 140 of the Session Laws of 1915," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 139, by Joint Committee on Stock Growing and Grazing, entitled, "An Act to amend Section 1904 of the Revised Codes of Montana of 1907 as the same appears after amendment by the provisions of Chapter 50 of the Laws of the Twelfth Legislative Assembly," report same back to the House with the recommendation that same be amended by making reward on wolf pup, coyote and coyote pup \$2.50 instead of \$1.50, and that, as amended, Bill be concurred in.

Also, having had under consideration S. B. No. 102, by Williams, entitled, "An Act authorizing the State Board of Prison Commissioners to adopt rules and regulations allowing additional good time in addition to that provided by statute for good conduct to convicts employed on public roads or other public works, and providing a penalty for the violation of such rules," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 112, by Williams, entitled, "An Act to amend Sections one and three of Chapter Eighty-six of the Laws of the Fourteenth Legislative Assembly, being an Act to provide for financial aid in the care of dependent children in their own homes under the direct control of the mothers of such children, whose fathers are dead or inmates of some Montana State Institution of Charity or Correction, or who are physically or mentally unable to provide for said children, for a period of ninety days or more, or whose mothers are solely dependent upon their labor for support," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 106, by Stevens, entitled, "An Act to change the name of the Montana Grain Laboratory, to enlarge the duties of the laboratory and of the director thereof and to make an appropriation for the maintenance of the added duties of the laboratory," report same back to the House with the recommendation that the title be amended by adding the following: "and providing for licensing of grain dealers and public warehousemen."

Amend by inserting two sections to be numbered 7 and 8 and renumbering the remaining sections in numerical order.

"Section 7. Each person, firm, association or corporation engaged in the business of buying grain for shipment in carload lots, or for milling, shall be required to be licensed by the State, and all such grain buyers shall be classified as follows: those operating warehouses (not public warehouses) to be known as grain dealers, and to be licensed as such; those operating public warehouses to be known as public warehousemen, and to be licensed as such; those operating neither warehouse nor public warehouse to be known as track buyers, and licensed as such.

"Section 8. It shall be the duty of the commissioner of agriculture and publicity, to issue licenses upon receipt of application in proper form,—one grain dealer's license for each warehouse for which application is made; one public warehouseman's license for each public warehouse for which application is made and bond filed, as provided for by law; one track buyer's license upon each application when bond is filed as provided for. All licenses shall give authority to carry on and conduct the businesses of grain dealer, public warehouseman or track buyer, as the case may be, in accordance with the laws of the State, and shall be revo-

able by the commissioner of agriculture and publicity, after approval of his decision by the Attorney General upon complaint being made in writing, setting forth the particular violation of the law, and upon due notice and hearing and sufficient proof. Violation of this Act, or of the laws of the State, or of the rules and regulations of the department, will be considered sufficient cause for the revoking of licenses. The commissioner of agriculture and publicity may refuse to issue licenses to any person or concern whose licenses have once been revoked," and that, as amended, Bill be concurred in.

Also, having had under consideration H. B. No. 250, by Mason, entitled, "An Act requiring the publication in official county papers of the lists of adulterated and misbranded foods, beverages, candies, drugs and other preparations and products as reported by the State Board of Health," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 264, by Judiciary Committee, entitled, "An Act concerning the examination and admission of attorneys and counsellors at law to practice law in this State, and concerning the trial and conduct of proceedings in actions for the suspension, or the disbarment from practice of such attorneys and counsellors; providing an annual license tax to be paid by all practicing attorneys and counsellors in this State, and methods of collecting the same, and penalties for violation of any provisions of this Act; providing for the disposition and expenditure of all moneys collected under the provisions of this Act," report same back to the House with the recommendation that same be amended as follows: By striking out in line 9 the word and figures "Ten (\$10.00)" and inserting in lieu thereof the word and figures "Five (\$5.00)"; by striking out in line 25 the word and figures "Fifteen (\$15.00)" and inserting in lieu thereof the words and figures "Twenty-five (\$25.00)"; by striking out in lines 46 and 50 the word and figures "Fifteen (\$15.00)" and inserting in lieu thereof the words "Twenty-five (\$25.00)," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 236, by Husser, entitled, "An Act to amend Sections 7, 10 and 11, Chapter 130, Session Laws of 1911, relating to the sanitary conditions of bakeries, confectionery shops, canneries, packing houses, slaughter houses, meat markets, hotels, restaurants, noodle parlors, dining cars, lunch wagons or lunch counters; the method of procedure in condemning diseased meats; the issuing of licenses by the State Board of Health; and providing for inspections of such places of business," report same back to the House with the recommendation that title of same be amended by inserting the words "hotels, meat markets;" that Section 1 thereof be amended by inserting in line 28 after the word "all" the words "peace and"; that Section 2 thereof be amended by striking out in line 58 the word "he" and inserting in lieu thereof the words "the Board;" by striking out in line 57 the words "his duty" and inserting in lieu thereof the words "the duty of the Board;" by striking out in line 57 the word "he" and inserting in lieu thereof the words "the Board;" that Section 3 thereof be amended by inserting in line 109, after the word "sale" the words "or for purposes of sale such food or drug is," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 313, by Committee on Appropriations, entitled, "An Act providing for the payment of deficiency claims for account of requisitions," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 284, by Clark, entitled, "An Act to amend Section XXIX of Chapter 147 of the Laws, Resolutions and Memorials of the State of Montana passed at the Eleventh regular Legislative Session, concerning the platting and disposition of State lands situated in or adjacent to cities and towns," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 159, by Ironside, entitled, "An Act relating to delivery of express matter by express companies at addresses within the corporate boundaries of any city of the first, second or third class, and providing penalties for violation thereof," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 184, by Blake, entitled, "An Act to regulate and govern the sanitary conditions under which wall paper, or substitute wall covering shall be placed on the walls or rooms in tenement houses,

or other houses owned or maintained for rent, and to make a violation of any of the provisions of this Act a misdemeanor," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 189, by Shaw, entitled, "An Act to amend Section 1808 of the Revised Codes of Montana, 1907, relating to the inspection of horses when moved from one county to another within the State," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 315, by Committee on Appropriations, entitled, "An Act providing for the payment of deficiency claims for the transportation of prisoners," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 290, by Blodgett, entitled, "An Act appropriating money to pay the deficiency claim of Tim Driscoll, for transporting prisoners to the State Penitentiary during January and February, 1915," report same back to the House with the recommendation that it do pass.

Also, having had under consideration Senate Amendments to H. B. No. 38, by Jones, entitled, "An Act to require railway companies or corporations to report delayed trains, prescribing the method thereof and providing penalties: repealing Sections 4345, 4346, 4347 and 4348 of the Revised Codes of the State of Montana, and Chapter 105, Session Laws of the Eleventh Legislative Assembly, entitled, 'An Act to require railway corporations, operators, agents or persons in charge of railroad, telegraph or telephone stations to report delayed trains, prescribing the method thereof, and providing penalties,'" report same back to the House with the recommendation that the Senate amendments be concurred in.

Also, having had under consideration H. B. No. 314, by Committee on Appropriations, entitled, "An Act providing for the payment of deficiency claims for account of public printing," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 316, by Committee on Appropriations, entitled, "An Act providing for the payment of deficiency claims for account of expense of Judges," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 295, by Prosser, entitled, "An Act to provide for the assessment of property of itinerant, transient or merchant's salesmen of bankrupt stock, etc.," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 279, by Morrow, entitled, "An Act establishing and defining the boundary line between Musselshell County and Rosebud County, State of Montana," report same back to the House with the recommendation that it do pass.

Rasmussen: I move the adoption of the report.

Murray: As an amended motion, I move to segregate S. B. No. 112 from the report and rerefer the Bill to General Orders, and that the report of the Committee of the Whole, as segregated, be adopted.

Amended motion carried.

Murray: I move that H. B. No. 83 be placed on General Orders.

Motion carried.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, beg leave to report that House Bills Nos. 131 and 288 have been returned correctly printed.

Report adopted and Bills placed on General Orders.

On motion of McMahon, House resolved itself into a Committee of the Whole for the consideration of General Orders.

## GENERAL ORDERS.

Husser in the Chair.

House resumed.

Mr. Speaker in the Chair.

Husser, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 83, by Ironside, entitled, "An Act providing for an eight hour day for

all employees earning wages, and extra compensation for overtime," report same back to the House with the recommendation that it do not pass.

Also, having had under consideration H. B. No. 288, by Eliel, entitled, "An Act to repeal the law to provide for party nominations by direct vote, enacted by the people of the State of Montana at the general election held in November, 1912, also providing for the submission of the question of the repeal of said Act to the people at the general election to be held in November, 1918," report same back to the House with the recommendation that it do not pass.

Also, having had under consideration H. B. No. 131, by Dodds, entitled, "An Act concerning the placement of homeless and dependent children, providing for reports, and fixing penalties," report same back to the House with the recommendation that it do pass.

Husser: I move the adoption of the report.

Lusk: As a substitute, I move that the report on each Bill be acted upon separately.

Substitute motion carried.

Lusk: I move that H. B. No. 131 be re-referred to General Orders.

Motion carried.

McMahon: I move that H. B. No. 288 be recommended for passage.

Roll call demanded and motion lost by following vote:

Ayes: Andrew, Arneson, Ashby, Ball, Baxter, Bernard, Booth, Buell of Gallatin, Crismas, Crowley, Cutts, Eliel, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harmon, Henderson, Huffaker, Husser, Ironside, Jensen, Johnson of Deer Lodge, Jones, Lanstrum, Lemmon, McClory, McMahon, McQuarrie, Morris, Murray, Prosser, Quaintance, Scott, Searles, Shaw, Stimpert, Ward, Weil, Wheat—41.

Noes: Anderson (Oscar W.), Baldwin, Bent, Blodgett, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Davis, Deibel, Demel, Duffy, Eaton, Farmer, Griffin, Harbert, Hathaway, Hawks, Henry, Higgins, Holt, Hurd, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Larse, Lewis, Lusk, McMillan, Mason, Middleton, Morrow, O'Brien, Page, Phelps, Rainey, Sand, Sektan, White, Working, Mr. Speaker—45.

Absent and not voting: Andersen (Charles), Belden, Bernard, Brooks, Dodds, Ingalls, McDonald, Rasmussen, Spain—9.

Murray: I move that H. B. No. 83 be recommended for passage.

Roll call demanded and motion lost by the following vote:

Ayes: Baldwin, Bent, Blake, Connolly, Crowley, Cutts, Duffy, Farmer, Fuller, Gould, Grimes, Higgins, Huffaker, Husser, Ironside, Johnson of Deer Lodge, Jones, Lanstrum, McMahon, Morris, Murray, O'Brien, Sand, Searles, Wheat, Working—26.

Noes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Deibel, Demel, Eaton, Eliel, Fishbaugh, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Hurd, Jensen, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McClory, McQuarrie, Mason, Middleton, Morrow, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Scott, Sektan, Shaw, Stimpert, Ward, Weil, White—57.

Absent and not voting: Andersen (Charles), Belden, Bernard, Blodgett, Brooks, Davis, Dodds, Ingalls, McDonald, McMillan, Spain; Mr. Speaker present but not voting—12.

On motion of Lemmon, House reverted to Eighth Order of Business.

### THIRD READING OF SENATE BILLS.

S. B. No. 51, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis,



Lanstrum, Lemmon, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Morris, Morrow, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—78.

Noes: None.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Baxter, Belden, Bernard, Blodgett, Brooks, Deibel, Dodds, Ingalls, Larse, McDonald, Middleton, Murray, O'Brien, Spain; Mr. Speaker present but not voting—17.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 133, having been read three several times, was concurred in by the following vote:

Ayes: Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl. Clark, Connolly, Crowley, Cutts, Davis, Deibel, Demel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McClory, McQuarrie, Mason, Middleton, Morris, Morrow, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Ward, Weil, Wheat, White, Working—76.

Noes: None.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Belden, Bernard, Blodgett, Cotter, Crismas, Dodds, Ingalls, Ironside, Larse, McDonald, McMahon, McMillan, Murray, O'Brien, Spain, Stimpert; Mr. Speaker present but not voting—17.

Title agreed to and Bill returned to Senate.

S. B. No. 139, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Arneson, Ashby, Baldwin, Ball, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl. Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Lemmon, Lewis, Lusk, McClory, McMahon, McQuarrie, Middleton, Morris, O'Brien, Phelps, Prosser, Rainey, Rasmussen, Scott, Searles, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—69.

Noes: Cutts, Kemmis, Morrow, Page, Quaintance, Sand, Sektnan, Shaw—8.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Andrew, Baxter, Belden, Bent, Bernard, Blodgett, Cotter, Dodds, Hurd, Ingalls, Larse, McDonald, McMillan, Mason, Murray, Spain—18.

Title agreed to and Bill returned to Senate for concurrence in House amendments.

S. B. No. 102, having been read three several times, was concurred in by the following vote:

Ayes: Arneson, Ashby, Baldwin, Ball, Baxter, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl. Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McQuarrie, Mason, Middleton, Morrow, Morris, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—78.

Noes: None.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Andrew, Belden, Bent, Bernard, Cotter, Dodds, Eliel, Griffin, Harmon, Ingalls, McDonald, McMahon, McMillan, Spain; Mr. Speaker present but not voting—17.

Title agreed to and Bill returned to Senate.

S. B. No. 106, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Arneson, Ashby, Baldwin, Ball, Baxter, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, White, Working, Mr. Speaker—78.

Noes: Page—1.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Andrew, Belden, Bent, Bernard, Carll, Cotter, Dodds, Eliel, Harmon, Ingalls, Ironside, McDonald, Spain, Wheat—16.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

Senate amendments to H. B. No. 38 were concurred in by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Eaton, Farmer, Fishbaugh, Fuller, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMillan, McQuarrie, Middleton, Morris, Morrow, O'Brien, Prosser, Quaintance, Rainey, Rasmussen, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, Wheat, White, Working—69.

Noes: Cutts, Demel, McMahon, Mason, Murray, Page, Phelps, Sand, Ward—9.

Absent and not voting: Andersen (Charles), Belden, Bernard, Carll, Dodds, Duffy, Eliel, Gould, Griffin, Harmon, Husser, Ingalls, Johnston of Ravalli, McClory, McDonald, Spain: Mr. Speaker present but not voting—17.

Bill referred to Engrossing Committee.

On motion of McMahon, House reverted to Fourth Order of Business.

## REPORTS OF STANDING COMMITTEES.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 167, 265, 275 and substitute for House Bill No. 204, beg leave to report same correctly printed.

Report adopted.

Morrow, from the Committee on Banks and Banking, reported as follows:

Mr. Speaker: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 45, introduced by Kinney, beg leave to report as follows: That the Bill be referred back with the recommendation that it be concurred in, as amended, to-wit:

Amend Section 1, line 15, after the word *repute*, insert the following: "Having a fully paid up capital and surplus of \$100,000.00."

Amend line 35, after the word "shall" by inserting the word "not."

Amend by striking out the sentence beginning on page 2, at line 26, and ending with the word "Act" in line 28 of the same page, as follows: "Any bank which shall become a member of the Federal Reserve Bank Association, and shall in all respects comply with the rules and regulations of that association, shall be deemed to have complied with the provisions of this Act."

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House

Bill No. 125, by McQuarrie, a Bill for an Act entitled, "An Act to amend Chapter XXII of the Revised Codes of Montana of 1907 by repealing all of Sections 2112, 2113, 2114, 2115, 2116, 2117, 2118 and providing for an Act relating to the inspection of petroleum products, appointment of inspectors, fees and salaries of inspector and prohibiting the sale of adulterated oils and gasoline, and providing penalties for the violation thereof," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it do not pass.

Mason: I move the adoption of the report.

McQuarrie: I move, as a substitute, that H. B. No. 125 be printed and placed on General Orders.

Substitute motion carried.

Mason, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: Your Committee on New Counties and Divisions, to whom was referred House Bill No. 322, by Hawks, a Bill for an Act entitled, "An Act to amend Sections 1, 2 and 3 of Chapter 139 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, providing for the creation, organization and classification of new counties, for locating the county seat and for the election and appointment of officers," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be amended by striking out in line 16, Section 1, after the word "within" the word "twenty" and insert in lieu thereof the word "eighteen," and as amended, it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 158, by Hawks, a Bill for an Act entitled, "An Act providing for the inspection of refined petroleum, illuminating oils, gasoline and other low flash test petroleum products, providing for the ports of entry, appointment of a State inspector of oils and deputies, fixing salaries of the same and defining chemical and other tests," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 416, a Bill for an Act entitled, "An Act providing for the payment of deficiency claims for the care of the insane," beg leave to report and recommend that the same do pass.

Report adopted and Bill referred to Printing Committee.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 415, a Bill for an Act entitled, "An Act providing for the payment of deficiency claims for the care of prisoners," beg leave to report and recommend that the same do pass.

Report adopted and Bill referred to Printing Committee.

Morris, from the Committee on Livestock and Public Ranges, reported as follows:

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. ...., substitute for Senate Bill No. 56, introduced by Williams, a Bill for an Act entitled, "An Act regulating the running at large of bulls on public ranges or national forest reserves in the State of Montana, and providing penalties," respectfully beg leave to report as follows: We recommend that Substitute Senate Bill No. 56 be concurred in.

Report adopted and Bill referred to General Orders.

Morris, from the Committee on Livestock and Public Ranges, reported as follows:

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration H. B. No. 87, introduced by Heren, a Bill for an Act entitled, "An Act to repeal Section 8836 of the Revised Codes of Montana of 1907

and designate the duties of owners of stallions," respectfully beg leave to report as follows: That we recommend that Senate Bill No. 87 be concurred in.

Report adopted and Bill referred to General Orders.

Charles Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 164, by Whiteside, a Bill for an Act entitled, "An Act to accept the terms and provisions of the Federal Act giving aid to the several states for vocational education, and to authorize the State Board of Education to establish vocational education in the public elementary schools and public high schools of the State; to provide for the training of teachers of vocational subjects, designating the State Treasurer as custodian for vocational education with authority to accept and disburse money received from the federal government for such vocational education, and the training of teachers and appropriating money to meet appropriations made by the federal government for such purposes," respectfully beg leave to report the same back to the House with the recommendation that the same be concurred in.

Report adopted and Bill placed on General Orders.

Charles Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 362, by Harmon, a Bill for an Act entitled, "An Act to amend Section 203 of the Session Laws of the Thirteenth Legislative Assembly, 1913, relating to the salary and expenses of the Superintendent of Public Instruction," respectfully beg leave to report the same back to the House with the recommendation that same be reported back favorably and be re-referred to Committee on Appropriations.

Report adopted and Bill referred to Committee on Appropriations.

Mason, from the Committee on Primary Elections, reported as follows:

Mr. Speaker: Your Special Committee on Primary Elections, to whom was referred House Bill No. 8, by Rasmussen, a Bill for an Act entitled, "An Act to amend Section 20 of the Act initiated and passed by the people of Montana at the general election of November, 1912, entitled, 'A Bill to propose by initiative petition a law to provide for party nominations by direct vote,'" respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Special Committee on Primary Elections, reported as follows:

Mr. Speaker: Your Special Committee on Primary Elections, to whom was referred House Bill No. 99, by Henderson, a Bill for an Act entitled, "An Act to amend Section 13, of Chapter 122 of the Session Laws of the Fourteenth Legislative Assembly relating to the registration of electors, and change of voting precinct," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Special Committee on Primary Elections, reported as follows:

Mr. Speaker: Your Special Committee on Primary Elections, to whom was referred House Bill No. 94, by Bernard, "An Act to amend Section 546 of the Revised Codes of 1907, relating to ballots and voting and providing for the furnishing of official ballots and sample ballots by the county clerk at general elections held in the State," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Special Committee on Primary Elections, reported as follows:

Mr. Speaker: Your Special Committee on Primary Elections, to whom was referred House Bill No. 154, by White, a Bill for an Act entitled, "An Act to provide for party nominations by direct vote; to establish a system of voting by mail at such primary elections; to provide a method for the counting and canvassing of such vote; providing punishment for violations thereof and repealing



all Acts and parts of Acts in conflict herewith," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that same be printed.

Report adopted and Bill referred to Printing Committee.

Lemmon, from the Committee on Corporations other than Municipal, reported as follows:

Mr. Speaker: We, your Committee on Corporations other than Municipal, having had under consideration House Bill No. 409, by Belden, a Bill for an Act entitled, "An Act construing, interpreting and settling ambiguities or doubt arising from the provisions of Section 4044, Revised Codes of Montana, 1907, relating to the amount of the capital stock of insurance corporations, other than life insurance corporations; and Section 4050, Revised Codes of Montana, 1907, as amended by Chapter 48 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, and Chapter 114 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, relating to the classification of insurance corporations, granting certain powers thereunder, and providing certain restrictions and exceptions in connection therewith; and Section 4032, Revised Codes of Montana of 1907, as amended by Chapter 37 of the Session Laws of the Thirteenth Legislative Assembly, relating to the manner in which insurance companies, associations or partnerships may transact business in the State of Montana, and relating to the capitalization of such insurance companies, both foreign and domestic," recommend that the same be referred to the Judiciary Committee.

Report adopted and Bill referred to Judiciary Committee.

Lemmon, from the Committee on Corporations other than Municipal, reported as follows:

Mr. Speaker: We, your Committee on Corporations other than Municipal, having had under consideration House Bill No. 365, by Fishbaugh, a Bill for an Act entitled, "An Act to provide for uniform names of post offices and railway stations in the State of Montana, and empowering the Board of Railroad Commissioners of the State of Montana, to change the names of railway stations within the State of Montana having similar names and providing a penalty for failure to conform to the order of such Board," recommend that the same do not pass.

Report adopted.

Charles Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 119, by Blodgett, a Bill for an Act entitled, "An Act to establish in the State University of Montana, a department for the instruction of public accountancy, and to make provision for the support thereof, and to regulate the practice of the profession of public accountancy, prohibiting the making of false reports by any public accountant, and providing a penalty and punishment therefor, and repealing all of the provisions of Chapter 39 of the laws enacted by the Eleventh Legislative Assembly of the State of Montana, being an Act entitled, 'An Act to regulate the practice of the profession of public accountancy,'" respectfully beg leave to report the same back to the House with the recommendation that it be amended as follows, to-wit:

Amend Section 2, line 8, by inserting after the word "Act" the following words: "or under the provisions of Chapter 39 of the Laws of the Eleventh Legislative Assembly."

Amend Section 3 by inserting after the word "accountant" the words "of good repute," and by striking out Subdivision (b) of Bill and inserting in lieu thereof a new Subdivision (b) to read: "or who has practiced the profession of public accountancy exclusively on his own account for a period of not less than three years."

And amend Section 8 by striking out the word "wittingly" in line ..... and inserting in lieu thereof the word "intentionally," and that, as amended, the Bill be recommended favorably and re-referred to the Committee on Appropriations.

Report adopted and Bill referred to Committee on Appropriations.

Charles Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 248, by Harmon, a Bill for an Act entitled, "An Act to provide for the redistricting of the third class school districts in each county; creating a rural school district in each county composed of all third class districts and parts thereof as a unit for the purpose of administration and taxation; providing for the creation of sub-districts of rural districts for the purpose of local administration; providing for board of trustees for rural school districts, and prescribing the manner of election, number, terms, powers and duties of said boards of trustees; providing for the appointment of local trustees in sub-districts and prescribing the powers and duties of the same; providing for taking over of funds, property and indebtedness of third class districts by the rural school districts; providing for the assumption and payment of all indebtedness of third class districts by the rural school districts; providing for the bonding of school districts for payment of indebtedness; and providing the manner of acceptance of the provisions of this Act by the people of the several counties; providing for the creation of second class districts from the territory of the rural school district; providing for traveling expenses, salary, organization and time of meeting of boards of trustees of the rural school districts," respectfully beg leave to report the same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, to whom was referred House Bill No. 354, beg leave to report as follows: That House Bill No. 354, introduced by Farmer, entitled, "A Bill for an Act entitled, 'An Act directing the County Treasurer of each county in this State to collect a license tax of the owners and exhibitors of moving picture shows, making exhibits in any city or town of the State; and authorizing cities to collect a similar or less tax,' repealing Chapter 81 of the Session Laws of the 13th Legislative Assembly of the State of Montana; an Act providing that no license shall be required for moving picture shows in places having a population not exceeding one thousand five hundred," do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, to whom was referred House Bill No. 403, beg leave to report as follows: That House Bill No. 403, introduced by Andrew, entitled, a Bill for an Act entitled, "An Act to amend Section 3241 of the Revised Codes of Montana of 1907, relating to salaries of police judge," be amended so as to read as follows: "the annual salaries of police judges must be fixed by ordinance and in cities of the first class with a population of fifty thousand, or over, must not exceed \$3,000.00, and in cities of the first class of less than fifty thousand population, must not exceed \$2,000.00," and that, as amended, the same do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, to whom was referred House Bill No. 407, beg leave to report as follows: That House Bill No. 407, introduced by Cutts, entitled, a Bill for an Act entitled, "An Act to amend Section two of Chapter 73 of the Session Laws of 1913, entitled, 'An Act providing for the registration, identification and regulation of motor vehicles, operated and driven upon the public highways of the State,'" do not pass.

Report adopted.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, to whom was referred House Bill No. 384, beg leave to report as follows: That House Bill No. 384, introduced by Farmer, entitled, a Bill for an Act entitled, "An Act to amend Sub-Section 19 of Section 3259 of the Revised Codes of the State of Montana, 1907, relating to the powers of city and town councils," do not pass.

Report adopted.

Charles Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 285, by Rainey, a Bill for an Act entitled, "An Act to provide for teacher training in accredited county and district high schools and to license the graduates thereof to teach under certain conditions," respectfully beg leave to report the same back to the House with the recommendation that it be printed and placed on General Orders.

Report adopted and Bill referred to Printing Committee.

Charles Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration H. B. No. 394, by Arneson, a Bill for an Act entitled, "An Act relating to school teachers giving school boards notice of resignation and providing for penalties for violation thereof," respectfully beg leave to report the same back with the recommendation that it do pass as amended, to-wit: Amend Section 1, line 14, by inserting after the word "teacher" the words "unless such teacher hire a suitable substitute."

Report adopted and Bill referred to Printing Committee.

Charles Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration H. B. No. 286, by Belden, a Bill for an Act entitled, "An Act providing for the retirement of public school teachers, and creating certain of these funds by contributions from teachers, investment of funds, gifts to funds, appropriations and payments from county school funds; providing for the custody and management of these funds; providing for the collection, conditions of investment and conditions of distribution of the funds; providing for the creation of a retirement board and prescribing the duties and powers of such board; providing for assistance and expenditures of such board in meeting and carrying out the provisions of this Act; providing for a teachers' retirement association and conditions of membership therein; and providing conditions under which teachers may receive annuities, equities, dividends and pensions from these funds," respectfully beg leave to report the same back to the House with the recommendation that it be printed and re-referred to the Committee on Appropriations.

Report adopted and Bill referred to Committee on Appropriations.

Charles Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 278, by Gullidge, a Bill for an Act entitled, "An Act to provide for the organization of vocational school units among school districts of the third class, for the teaching of agriculture and industrial subjects and providing for a vocational school board for the management of the same and for the vocational school unit fund," respectfully beg leave to report the same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Charles Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration H. B. No. 289, by Blodgett, a Bill for an Act entitled, "An Act providing that a sum equivalent to one-tenth of one mill on each dollar of valuation on real and personal property in each county of the State shall be deducted annually by each county from the county school fund and set apart as a fund known as the Public School Teachers' Retirement Salary Fund; requiring the County Superintendent to deduct said sum from such County School Fund before apportioning the revenue of the school district within the county; providing for such Public School Teachers' Retirement Salary Fund so set apart to be remitted by the County Treasurer to the State Treasurer to the credit of the Public School Teachers' Retirement Salary Fund, in the hands of the State Treasurer," respectfully beg leave to recommend that the Bill be amended as follows:

Amend title, line 1, by striking out the word "one-tenth" and inserting in lieu thereof the word "one-twentieth."

Amend Section 1, line 1, by striking out the word "one-tenth" and inserting

in lieu thereof the word "one-twentieth," and that, as amended, the same be printed and re-referred to the Committee on Appropriations.

Report adopted and Bill referred to Printing Committee.

Charles Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 311, by Blake, a Bill for an Act entitled, "An Act to promote the unity and to increase the effectiveness of the state educational system of the State of Montana by authorizing the University of Montana convocation, and to provide for the conduct of the same," respectfully beg leave to report the same back to the House with the recommendation that it do pass, as amended, to-wit: Amend Section 2, line 3, by inserting after the word "expenses" the words "not more than one thousand five hundred (\$1,500.00) dollars."

Report adopted and Bill referred to Printing Committee.

Charles Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration S. B. No. 6, introduced by Lane, a Bill for an Act entitled, "An Act to amend Sections 302 and 303 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly, 1913; and Section 3195, Revised Codes, 1907, relating to County Superintendents, their duties and their expenses," respectfully beg leave to recommend that the same be amended as follows, to-wit:

Amend Section 1, line 4, by inserting after the words "clerk and deputy," the following words: "The County Superintendent of counties having fifty or more rural teachers is authorized to appoint one clerk at an expense of not more than seventy-five (\$75.00) dollars per month, and the County Superintendent of counties having fewer than fifty rural teachers may, with the permission of the County Commissioners, appoint a clerk at a salary to be fixed by the Board of County Commissioners."

Amend Section 1, line 5, by striking out the word "fifty" and inserting in lieu thereof the word "twenty-five."

Amend Section 3, line 3, by striking out the words "that in addition to the said salary now paid," and, at the end of line 4, strike out the words "his or her" and insert the word "all" and in line 5, after the word "expenses" insert the word "actually," and that, as amended, Bill be concurred in.

Report adopted and Bill placed on General Orders.

On motion of Lusk, House reverted to Fifth Order of Business.

## INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 417, introduced by Higgins: A Bill for an Act entitled, "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this act and for suits to quiet title against claims of liens arising hereunder and repealing all Acts in conflict with this Act." Read first and second time and referred to Committee on Judiciary.

H. B. No. 418, introduced by O'Brien: A Bill for an Act entitled, "An Act to amend Sections 1 and 2 of Chapter 59 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, and fixing the time for the opening and closing of saloons, in the county of the first class in the State of Montana." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 419, introduced by McClory: A Bill for an Act entitled, "An Act to amend Section 7331 of the Revised Codes of Montana, relating to eminent domain." Read first and second time and referred to Committee on Judiciary.

H. B. No. 420, introduced by Sektnan: A Bill for an Act entitled, "An Act to amend Section 4 of Chapter 136 of the Session Laws of 1909, entitled, 'An Act to regulate common carriers, and to provide for certain appliances, rules and regulations looking to the safety of the traveling public and employees upon railway trains, and to confer upon the Railroad Commission of Montana certain



powers relating thereto." Read first and second time and referred to Committee on Railroads and Transportation.

H. B. No. 421, introduced by Huffaker and Working: A Bill for an Act entitled, "An Act amending Sections 1, 2, 3, 6 and 10 of Chapter 143 of the Laws of the Fourteenth Legislative Assembly, relating to improvement districts for lighting streets." Read first and second time and referred to Committee on Affairs of Cities.

On motion of Mason, House adjourned until 9:00 A. M., Saturday, February 17, 1917.

J. F. O'CONNOR, Speaker.  
C. H. TREACY, Chief Clerk.

## FORTY-EIGHTH DAY

Saturday, February 17, 1917.

House met at 9:30 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present.

Henry, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the forty-seventh day and find the same to be correct.

Report adopted.

On motion of Rasmussen, Fourth Order of Business, Reports of Standing Committees, was passed, temporarily.

### INTRODUCTION AND SECOND READING OF BILLS.

Rainey was granted unanimous consent of the House to introduce a Bill without previous notice.

H. B. No. 422, introduced by Kemmis: A Bill for an Act entitled, "An Act to authorize and direct the State Board of Education to establish in connection with the Montana Agricultural Experimental Station a Sub-Station in Eastern Montana, and making an appropriation therefor." Read first and second time at length and referred to Appropriations Committee.

H. B. No. 423, introduced by Wheat: A Bill for an Act entitled, "An Act providing for the establishment of public rating bureaus and defining their powers and methods of conducting business, providing for inquiries into such rating bureaus by the insurance commissioners; providing for review of rates by insurance commissioners; providing against unfair discrimination in rates; providing for chief examiners for rating bureaus and prescribing their duties; providing for filing with insurance commissioner by insurance companies of schedules of rates; providing for the inspection of risks rated by rating bureaus; providing for filing with insurance commissioners of short rate tables for cancellation of policies; providing against demoralization of business; providing entire act not to be affected by unconstitutionality of part thereof; providing for penalty for violation of act by insurance companies; providing for penalty for violation of act by agent or other representative; repealing laws in conflict with this Act." Read first and second time and referred to Committee on Insurance.

H. B. No. 424, introduced by Rainey: A Bill for an Act entitled, "An Act fixing the compensation of juvenile court officers for the investigation of widows and others making application for financial aid." Read first and second time and referred to Committee on Public Morals.

Holt: Inasmuch as it has been found that it is requiring much less time for the Senate to have Bills printed and returned than is the case in the House, I move that a Committee of three be appointed to investigate the printing of Bills

and the Printing Committee be authorized to have the Bills printed at the place which will do the work in the least time.

Motion carried.

### CONSIDERATION OF MESSAGES FROM THE GOVERNOR.

The following communication was received from His Excellency, the Governor:

Executive Office, February 16, 1917.

The Speaker of the House of Representatives, Helena, Montana.

I have the honor to advise you that I have this day approved the following House Bills: H. B. 82, relating to the payment of inheritance tax to County Treasurers, and receipts.

H. B. No. 152, relating to the amount of taxes to be assessed and levied by municipalities for general municipal and administrative purposes.

S. V. STEWART, Governor.

### THIRD READING OF HOUSE BILLS.

H. B. No. 250, having been read three several times, was passed by the following vote:

Ayes: Arneson, Ashby, Baldwin, Ball, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Crowley, Cutts, Demel, Duffy, Eaton, Fuller, Griffin, Grimes, Gullidge, Hathaway, Henderson, Henry, Holt, Husser, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McQuarrie, Mason, Middleton, Morris, Murray, O'Brien, Phelps, Prosser, Scott, Searles, Shaw, Stimpert, Weil, Wheat—49.

Noes: Hawks, Page, Rainey—3.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Andrew, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Brooks, Carll, Cotter, Crismas, Davis, Deibel, Dodds, Eliel, Farmer, Fishbaugh, Gould, Harbert, Harmon, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jones, Kemmis, McClory, McDonald, McMahon, McMillan, Morrow, Quaintance, Rasmussen, Sand, Sektman, Spain, Ward, White, Working; Mr. Speaker present but not voting—43.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 313, having been read three several times, was passed by the following vote:

Ayes: Andrew, Arneson, Ashby, Baldwin, Ball, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Crowley, Cutts, Demel, Duffy, Eaton, Fuller, Griffin, Grimes, Gullidge, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Lanstrum, Larse, Lemmon, Lewis, Lusk, McQuarrie, Middleton, Morris, Murray, O'Brien, Page, Phelps, Prosser, Rainey, Scott, Searles, Shaw, Stimpert, Weil, Wheat—54.

Noes: None.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Baxter, Belden, Bent, Bernard, Blake, Blodgett, Brooks, Carll, Cotter, Crismas, Davis, Deibel, Dodds, Eliel, Farmer, Fishbaugh, Gould, Harbert, Harmon, Higgins, Jones, Kelsey, Kemmis, McClory, McDonald, McMahon, McMillan, Mason, Morrow, Quaintance, Rasmussen, Sand, Sektman, Spain, Ward, White, Working; Mr. Speaker present but not voting—40.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 284, having been read three several times, was passed by the following vote:

Ayes: Andrew, Arneson, Ashby, Baldwin, Ball, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Cutts, Deibel, Duffy, Eaton, Fuller, Gould, Griffin, Grimes, Gullidge, Hathaway, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lewis, Lusk, McMahon, McQuarrie, Mason, Middleton, Morris, Murray, O'Brien, Page, Phelps, Prosser, Rainey, Sand, Scott, Searles, Shaw, Stimpert, Weil, Wheat—60.

Noes: Hawks—1.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Baxter,

Belden, Bent, Bernard, Blodgett, Brooks, Cotter, Crismas, Davis, Demel, Dodds, Eliel, Farmer, Fishbaugh, Harbert, Harmon, Higgins, Ingalls, Kemmis, Lemmon, McClory, McDonald, McMillan, Morrow, Quaintance, Rasmussen, Sektan, Spain, Ward, White, Working; Mr. Speaker present but not voting—34.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 159, having been read three several times, was passed by the following vote:

Ayes: Andrew, Arneson, Ashby, Baldwin, Ball, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Demel, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektan, Shaw, Stimpert, Weil—68.

Noes: None.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Baxter, Belden, Bent, Bernard, Blodgett, Brooks, Davis, Deibel, Dodds, Farmer, Gould, Grimes, Higgins, Holt, Kemmis, Lemmon, McClory, Morrow, Rasmussen, Spain, Ward, Wheat, White, Working; Mr. Speaker present but not voting—27.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 184, having been read three several times, was passed by the following vote:

Ayes: Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Cutts, Deibel, Duffy, Eaton, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Larse, Lewis, Lusk, McMahon, McQuarrie, Middleton, Morris, O'Brien, Page, Phelps, Prosser, Rainey, Sand, Scott, Searles, Sektan, Shaw, Stimpert, Weil, Wheat, White, Working—64.

Noes: None.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Belden, Bent, Bernard, Blodgett, Brooks, Crowley, Davis, Demel, Dodds, Eliel, Farmer, Fishbaugh, Higgins, Holt, Johnston of Ravalli, Kemmis, Lanstrum, Lemmon, McClory, McDonald, McMillan, Mason, Morrow, Murray, Quaintance, Rasmussen, Spain, Ward; Mr. Speaker present but not voting—31.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 180, having been read three several times, was passed by the following vote:

Ayes: Andrew, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Booth, Buell of Missoula, Buchanan, Burnworth, Carll, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Duffy, Eaton, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Murray, O'Brien, Page, Prosser, Rainey, Sand, Scott, Searles, Sektan, Shaw, Stimpert, Weil, Wheat, Working—67.

Noes: Phelps—1.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Belden, Blodgett, Brooks, Buell of Gallatin, Clark, Cotter, Demel, Dodds, Eliel, Farmer, Harbert, Higgins, Johnston of Ravalli, Kemmis, McClory, McDonald, Morrow, Quaintance, Rasmussen, Spain, Ward, White; Mr. Speaker present but not voting—27.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 315, having been read three several times, was passed by the following vote:

Ayes: Andrew, Arneson, Baldwin, Ball, Baxter, Bernard, Blake, Booth,

Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Duffy, Eaton, Fishbaugh, Fuller, Gould, Griffin, Grimes, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMahon, McQuarrie, Mason, Middleton, Morris, Murray, O'Brien, Page, Phelps, Prosser, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, Wheat, Working—67.

Noes: None.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Ashby, Belden, Bent, Blodgett, Brooks, Clark, Cotter, Cutts, Dodds, Eliel, Farmer, Gullidge, Harbert, Higgins, Hurd, Kemmis, McClory, McDonald, McMillan, Morrow, Quaintance, Rasmussen, Spain, Ward, White; Mr. Speaker present but not voting—28.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 290, having been read three several times, was passed by the following vote:

Ayes: Andrew, Arneson, Baldwin, Ball, Baxter, Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Crismas, Crowley, Demel, Duffy, Eaton, Fishbaugh, Fuller, Grimes, Gullidge, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Larse, Lemmon, Lewis, Lusk, McMahon, McQuarrie, Mason, Middleton, Morris, Murray, O'Brien, Page, Prosser, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, Wheat, Working—61.

Noes: None.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Ashby, Belden, Bent, Blodgett, Brooks, Clark, Cotter, Cutts, Davis, Deibel, Dodds, Eliel, Farmer, Gould, Griffin, Harbert, Higgins, Hurd, Ingalls, Kemmis, Lanstrum, McClory, McDonald, McMillan, Morrow, Phelps, Quaintance, Rasmussen, Spain, Ward, White; Mr. Speaker present but not voting—34.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 314, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Eaton, Eliel, Fuller, Griffin, Grimes, Gullidge, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMahon, McQuarrie, Mason, Middleton, Morris, Murray, O'Brien, Phelps, Prosser, Scott, Sektnan, Shaw, Stimpert, Weil, Wheat, Working—66.

Noes: Page, Rainey—2.

Absent and not voting: Andersen (Charles), Baxter, Belden, Bent, Blodgett, Brooks, Deibel, Duffy, Farmer, Fishbaugh, Gould, Harbert, Higgins, Ironside, Kemmis, McClory, McDonald, McMillan, Morrow, Quaintance, Rasmussen, Sand, Searles, Spain, Ward, White; Mr. Speaker present but not voting—26.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 316, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Deibel, Demel, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harmon, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, Wheat, Working—73.



Noes: Hathaway, Page, Rainey—3.

Absent and not voting: Andersen (Charles), Baxter, Belden, Bent, Blodgett, Davis, Dodds, Farmer, Harbert, Hawks, Higgins, Kemmis, McClory, McDonald, McMillan, Spain, Ward, White; Mr. Speaker present but not voting—19.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 295, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Cutts, Deibel, Demel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Husser, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Larse, Lemmon, Lewis, Lusk, McMahan, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Rasmussen, Rainey, Sand, Scott, Sektnan, Stimpert, Weil, Wheat, Working—71.

Noes: Hurd, Shaw—2.

Absent and not voting: Andersen (Charles), Belden, Bent, Blodgett, Crowley, Davis, Dodds, Harbert, Higgins, Ironside, Kemmis, Lanstrum, McClory, McDonald, McMillan, Murray, Quaintance, Searles, Spain, Ward, White; Mr. Speaker present but not voting—22.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 279, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahan, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Sektnan, Shaw, Stimpert, Weil, Wheat, Working—82.

Noes: None.

Absent and not voting: Andersen (Charles), Belden, Blodgett, Farmer, Higgins, Kemmis, McClory, Rasmussen, Searles, Spain, Ward, White; Mr. Speaker present but not voting—13.

Title agreed to and Bill transmitted to Senate for concurrence.

Cutts: I move that H. B. No. 155 be placed on General Orders.

Motion carried.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 155, 305, 273 and 140, beg leave to report same correctly printed.

Report adopted.

Stimpert: I move that the House resolve itself into a Committee of the Whole for the consideration of General Orders, and that debate be limited to ten minutes unless the majority of the Committee wish otherwise.

Motion carried.

### GENERAL ORDERS.

Eliel in the Chair.

House resumed.

Mr. Speaker in the Chair.

Eliel, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration Sub. S. B. No. 56, by Williams, entitled, "An Act regulating the running at large of bulls on public ranges or national forest reserves in the State of Mon-

tana, and providing penalties," report same back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 112, by Williams, entitled, "An Act to amend Sections One and Three of Chapter Eighty-six of the Laws of the Fourteenth Legislative Assembly, being an Act to provide for financial aid in the care of dependent children in their own homes under the direct control of the mothers of such children, whose fathers are dead or inmates of some Montana State institution of charity or correction or who are physically or mentally unable to provide for said children, for a period of ninety days or more, or whose mothers are solely dependent upon their labor for support," report same back with the recommendation that it be re-referred to General Orders.

Also, having had under consideration H. B. No. 131, by Dodds, entitled, "An Act concerning the placement of homeless and dependent children, providing for reports and fixing penalties," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 137, by Harmon, entitled, "A Bill for the purpose of commemorating the explorations of the Lewis and Clark expedition and to aid in the erection of heroic bronze statues of Meriwether Lewis and William Clark at the Great Falls and at the Three Forks of the Missouri river, providing for creation of the Lewis and Clark memorial commission and making appropriations therefor," report same back with the recommendation that it do pass.

Also, having had under consideration Sub. H. B. No. 204, by Johnston of Ravalli and Morrow, entitled, "An Act fixing the time for opening and closing of saloons and providing for the closing of saloons on Sundays and prohibiting the sale of any kind or kinds of spirituous or malt liquors on Sundays; providing penalties for violation thereof and repealing Chapters 59 and 68 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana," report same back with the recommendation that it be re-referred to General Orders.

Also, having had under consideration Sub. H. B. No. 155, by White, Sektman, Holt and Bernard, entitled, "An Act to create herd districts and prevent livestock running at large in established herd districts and to provide for the fixing and collection of damages from stock trespassing within the boundaries of such districts and repealing all Acts and parts of Acts in conflict herewith," report same back with the recommendation that same be amended by striking out in line 4 the words "who are freeholders," and that, as amended, same do pass.

Also, having had under consideration S. B. No. 6, by Lane, entitled, "An Act to amend Sections 302 and 303 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly, 1913; and Section 3195, Revised Codes, 1907, relating to county superintendents, their duties and their expenses," report same back with the recommendation that Section 1 be amended by striking out in lines 6 and 7 the words and figures "one hundred and twenty-five dollars (\$125.00)" and inserting in lieu thereof the words and figures "one hundred dollars (\$100.00)."

Amend Section 1 by striking out in line 4 the words "are authorized to" and insert "may," and that, as amended, the Bill with concurring amendments, be referred to Printing Committee and re-referred to General Orders.

Also, having had under consideration S. B. No. 45, by Kinney, entitled, "An Act to amend Section 50 of Chapter 89 of the Laws of 1915, entitled an Act regulating the business of banking, providing for the creation and regulation of banking corporations, creating the department of banking and prescribing the duties and fixing the salaries of its officers and employees, and repealing Title II, Part IV, of Division I of the Civil Code of Montana, entitled, Banks and Banking Corporations, being the provisions of Sections 2909 to 4015, both numbers inclusive, Revised Codes of Montana, 1907, and all Acts amendatory thereof, relative to the designation of reserve banks," report same back with the recommendation that Section 1 be amended by striking out in line fifteen the words and figures "one hundred thousand (\$100,000.00) dollars" and inserting in lieu thereof the words "fifty thousand (\$50,000.00) dollars," and that, as amended, Bill be concurred in.

Also, having had under consideration S. B. No. 164, Sub. for S. B. No. 136,

by Whiteside, entitled, "An Act to accept the terms and provisions of the Federal Act giving aid to the several States for vocational education, and to authorize the State Board of Education to establish vocational education in the public elementary schools and public high schools of the State; to provide for the training of teachers of vocational subjects, designating the State Treasurer as custodian for vocational education with authority to accept and disburse money received from the Federal Government for such vocational education, and the training of teachers and appropriating money to meet appropriations made by the Federal Government for such purposes," report same back with the recommendation that it be re-referred to General Orders.

Also, having had under consideration S. B. No. 87, by Heren, entitled, "An Act to repeal Section 8836 of the Revised Codes of Montana of 1907, and designating the duties of owners of stallions," report same back with the recommendation that it be concurred in.

Also, having had under consideration H. B. No. 265, by Burnworth, entitled, "An Act to alter boundaries between Rosebud County on one side and Yellowstone on the other side and to fix and establish as far as possible said boundary lines on section lines; and to provide that each of said counties shall transcribe and certify the records thereof," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 275, by Ashby, entitled, "An Act creating a lien on motor vehicles for labor furnished, or machinery, supplies, materials, or storage contributed, in making, altering, repairing, storing or otherwise caring for the same; and providing for the filing of a statement of such lien, the enforcing and foreclosure of the same," report same back with the recommendation that it do pass.

Report adopted.

Cutts: I move that H. B. No. 155 be re-referred to General Orders.

Motion carried.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 128, introduced by Demel and Scott, beg leave to report same back as correctly enrolled.

Report adopted.

Mr. Speaker notified the House that he was about to sign H. B. No. 128, and signed same in the presence of the House.

On motion of Lemmon, House recessed until 1:30 P. M.

#### AFTERNOON SESSION.

House reassembled at 1:30 P. M.

Mr. Speaker in the Chair.

On motion of Page, House reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 312, 139, 144, 302, 237, 233, and House Joint Memorial No. 8, beg leave to report same back as correctly printed.

Report adopted.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 38, beg leave to report same back as correctly engrossed as to Senate amendments.

Report adopted and Bill referred to Enrolling Committee.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 236, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on Calendar for Third Reading.

Searles, from the Committee on Fish and Game, reported as follows:

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 74, by Lane, entitled, "An Act making it unlawful to fish through the ice of certain streams of the State which have been stocked; providing for penalty for violations thereof, and repealing all Acts and parts of Acts in conflict therewith," respectfully beg leave to report as follows: That it be not concurred in.

Report adopted.

Ironside, from the Committee on State Boards and Officers, reported as follows:

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 398, introduced by Eaton, a Bill for an Act entitled, "An Act creating the office of State Dental Surgeon, prescribing the powers and duties of the incumbent of such office, and providing compensation therefor," report same back to the House with the recommendation that it do not pass.

Report adopted.

Eaton: I move that H. B. No. 398 be printed and placed on General Orders.

Cutts: I move that motion be laid upon the table.

Motion carried and report of Committee adopted.

Page, from the Committee on State Lands, reported as follows:

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 228, by Sand, a Bill for an Act entitled, "An Act to amend Sections 4, 5, 7 and 9 of Chapter 147 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, an Act providing for the management and control of the lands now owned by or hereafter to be acquired by the State of Montana, including the sale and rental thereof, and the management, protection and disposition of the timber growing thereon, and the coal, oil and minerals therein; providing for the management and control of the funds realized from the sale and rental of State lands and the products thereof; naming and providing for certain officers, subordinate to the State Board of Land Commissioners, and prescribing their duties and compensation; providing for the acquisition of water rights for use upon State lands; and defining and providing for the punishment of certain offenses for violating the provisions of this Act, approved March 19, 1909," recommend that the same do not pass.

Report adopted.

Ironside, from the Committee on State Boards and Officers, reported as follows:

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 336, introduced by McMahon, a Bill for an Act entitled, "An Act to amend Section 175 of the Revised Codes of the State of Montana of 1907, relating to the salary and fees of the State Auditor," report same back to the House with recommendation that it do not pass.

Report adopted.

Ironside, from the Committee on State Boards and Officers, reported as follows:

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 411, introduced by Murray, a Bill for an Act entitled, "An Act relating to advertising by dentists and providing penalties for violations thereof," report same back to the House with the recommendation that it do not pass.

Report adopted.

Hathaway, from the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, to whom was referred Senate Bill No. 75, introduced by Annin, entitled, "An Act relating to intoxicating liquor, prohibiting the soliciting and taking of orders therefor, the advertisement thereof, declaring certain places to be nuisances and providing for their abatement, regulating the transportation thereof, and



providing for the search and seizure and destruction thereof, prescribing the powers and duties of certain officers, providing for the removal of certain officers for failure, neglect or refusal to perform their duties, prescribing the forms of procedure and the rules of evidence in actions and proceedings under the laws relating to intoxicating liquors and fixing the penalties for violations hereof," report the same back to the House with the recommendation that it be concurred in, amended as follows: After the words "or kept" in line 65, omit the amendment "No warrant shall be issued to search a private dwelling occupied as such, unless some part of it is used as a store or shop, hotel or boarding house, or for any other purpose than a private residence, or unless such residence is a place of public resort," and inserting the same amendment after the word "state" in line 74, "No warrant shall be issued to search a private dwelling occupied as such unless some part of it is used as a store or shop, hotel or boarding house, or for any other purpose than a private residence, or unless such residence is a place of public resort."

Report adopted and Bill referred to Printing Committee.

Inside; from the Committee on State Boards and Officers, reported as follows:

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 337, introduced by Johnson, a Bill for an Act entitled, "An Act to amend Section 186 of the Revised Codes of the State of Montana of 1907, relating to the salary of the State Treasurer," report same back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 340, by Harmon, entitled, "An Act relative to liens for service of stallions or jacks, and providing penalties for the violation of this Act," beg leave to report as follows: That same be reported back to the House with the recommendation that it do not pass.

Report adopted.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 169, by Grimes, entitled, "An Act for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana, by adding thereto a section to be known as Section 7, relating to the consolidation of city and county governments," respectfully beg leave to report as follows: That the same do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 421, by Huffaker and Working, entitled, "An Act amending Sections 1, 2, 3, 6 and 10 of Chapter 143 of the Laws of the Fourteenth Legislative Assembly, relating to improvement districts for lighting streets," respectfully beg leave to report as follows: That the same do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 418, by O'Brien, entitled, "An Act to amend Sections 1 and 2 of Chapter 59 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana and fixing the time for the opening and closing of saloons, in the counties of the first class in the State of Montana," respectfully beg leave to report as follows: That the same do pass.

Report adopted and Bill referred to Printing Committee.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: We, your Committee on Affairs of Cities, having had under consideration House Bill No. 369, by Lewis, entitled, "An Act requiring all persons, associations, companies and corporations maintaining, operating or conducting hotels, rooming houses or lodging houses to first obtain a license therefor, pro-

viding for the manner of issuance of such licenses, the period for which they shall be issued, and the fees therefor, and providing penalties for violations thereof," respectfully beg leave to report as follows: That the same do pass.

Report adopted and Bill referred to printing Committee.

Davis, from the Committee on Agriculture, reported as follows:

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 371, introduced by McQuarrie, a Bill for an Act entitled, "An Act to provide for the pasteurization of skimmed milk or separator slop before being used for live stock feeding purposes, and providing penalties for the violation thereof," report same back to the House with the recommendation that it do not pass.

Report adopted.

Davis, from the Committee on Agriculture, reported as follows:

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 332, introduced by Larse, a Bill for an Act entitled, "An Act prohibiting the herding of sheep within certain limits and providing a penalty for the violation thereof," report same back to the House with the recommendation that it do pass, amended as follows: Strike out the balance of the paragraph after the word "sustained" in line 3 of Section 2 of said Bill; strike out all of line 3 of Section 3 of said Bill, after the word "another," and all of line 4 of Section 3 of said Bill up to the word "is"; striking out the balance of the paragraph after the word "persons" in line 4 of Section 1 of said Bill.

Report adopted and Bill referred to Printing Committee.

Husser, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration S. B. 141, by Roberts, a Bill for an Act entitled, "An Act to amend Section 2109 of Chapter 76, Session Laws of the Thirteenth Legislative Assembly, relating to the submission to electors of the question of bond issue for county high schools," beg leave to report as follows: That we recommend Bill be concurred in.

Report adopted and Bill placed on General Orders.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration House Bill No. 303, introduced by Hawks, a Bill for an Act entitled, "An Act establishing and defining the boundary line between Wibaux and Dawson Counties, Montana," respectfully beg leave to report as follows: with the recommendation that the same be printed.

Report adopted and Bill referred to Printing Committee.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 78, introduced by Haley, a Bill for an Act entitled, "An Act to fix, define and determine the boundaries of Prairie County, Montana," beg leave to report as follows: We recommend that the same be amended as follows:

Amend Section 1, line 21, in printed Bill, by striking out all of line 21 and line 22 to "northeast," and in lieu thereof insert the following: "Sections 28, 27, 26, 25, of Township 13, Range 53 East; thence along the north line of Sections 30, 29, 28, 27, 26, 25 of Townships 13 North, 54 East and 13 North, 55 East, to the."

In line 31 of Section 1 of printed Bill, after the word "east" strike out the remainder of line 31, all of 32 and to "thence" in line 33 and in lieu thereof insert the following: "To the northwest corner of Section 19, Township 10 North, Range 56 East, thence running at right angles due west along the north line of Sections 24, 23, 22, 21, 20, 19, Township 10 North, Range 55 East, to the northwest corner of Section 19, Township 10 North, Range 55 East; thence running at right angles due south to the southwest corner of Township 10 North, Range

55 East; thence running due west along the south line of Township 10 North, Range 54 East," and we recommend that the same do pass, as amended.

Report adopted and Bill referred to Printing Committee.

### REPORTS OF SELECT COMMITTEES.

The Joint Conference Committee reported as follows:

To the Speaker of the House:

We, the members of the Joint Conference Committee, on H. B. No. 72, recommend that it pass in its original form without any amendments.

(Signed) P. N. BERNARD, Chairman,  
C. A. WEIL,  
FRANK ELIEL.

Report adopted and Bill referred to Printing Committee.

On motion of Blake, House reverted to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

Jones: I move that the vote by which the report of the Committee on New Counties and Divisions was rejected in reference to H. B. No. 281, providing for the creation of River County, be reconsidered.

Motion carried.

Baxter: I move you that a Sifting Committee of five members be appointed by the Speaker to fix the order of consideration of all Bills, Memorials and Resolutions coming before the House.

Blake: I move that motion of Baxter be referred to Committee on Rules.

Motion carried.

Murray: I move that S. B. 112 be re-referred to General Orders for Monday.

Motion carried.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day reported from Standing Committees with recommendations:

Committee on Finance and Claims reported S. B. No. 143, by Roberts, recommending that the same be amended and as amended that the Bill do pass.

Report adopted.

Committee on Enrollment reported S. B. Nos. 11 and 135 correctly enrolled.

Report adopted.

Committee on Taxation reported S. B. No. 96, by Meadors, with the recommendation that the Bill be re-referred to Committee on Constitutional Amendments. Report adopted.

Also reported S. B. No. 140, by Heren, with the recommendation that the Bill be printed and re-referred to Committee on Taxation. Report adopted.

Also reported S. B. No. 137, by Edwards, with the recommendation that the Bill be amended and that as amended the Bill do pass. Report adopted.

Committee on Printing reported Senate Bill No. 127 correctly printed.

Report adopted.

Committee on Railroads and Transportation reported S. B. No. 61, by Hogan, with the recommendation that the same do pass. Report adopted.

Committee on Compensation reported S. B. No. 94, by Kane, with the recommendation that the same do not pass.

Report not adopted and on motion the Bill was ordered printed.

Also S. B. No. 89, by Jones, with the recommendation that the same do not pass. Report adopted.

Committee on Judiciary reported S. B. No. 122, by Fishbeck, with the recommendation that the same be amended and that the Bill as amended do pass.

Report adopted.

Also reported S. B. No. 180, by O'Shea, with the recommendation that the Bill be amended, and that as amended the Bill do pass. Report adopted.

Also reported No. 175, with the recommendation that the Bill do pass.

Report adopted.

Also reported Senate Bill No. 286, with the recommendation that the Bill do pass. Report adopted.

Also reported S. B. No. 182, by Clay, with the recommendation that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Education reported H. B. No. 230, by Gullidge, with the recommendation that the same be concurred in. Report adopted.

Also reported H. B. No. 240, by Charles Andersen, with the recommendation that the Bill be concurred in. Report adopted.

Also reported H. B. No. 247, by Kemmis, with the recommendation that the Bill be concurred in. Report adopted.

Committee on Public Morals reported H. B. No. 211, by Lewis, with the recommendation that the Bill be concurred in. Report adopted.

Also reported H. B. No. 89, by Dodds, with the recommendation that the Bill be concurred in. Report adopted.

Also reported H. B. No. 143, by Bent, with the recommendation that the Bill be concurred in. Report adopted.

Committee on Taxation reported H. B. No. 22, by Crismas, without recommendation and limiting the debate to three minutes on each side.

Report adopted and Bill placed on General File.

Committee on Finance and Claims reported H. B. No. 90, by Ashby, with the recommendation that owing to the fact that the liabilities seem to be a joint liability of the City of Helena and the State of Montana, recommend that the Bill be amended in both title and in Section 1, to read in words and figures "six hundred dollars" instead of "twelve hundred dollars," and that as amended the Bill do pass, and further recommend that the City of Helena should reimburse Mr. Daly for the balance of the claim. Report adopted.

Committee on Insurance reported H. B. No. 97, by Holt, recommending as follows: That Section 1 be amended in line 5 by striking out after the word "than" the words "one hundred" and inserting in lieu thereof the words "two hundred fifty." In line 7 strike out the words "five thousand" and insert in lieu thereof the words "twenty-five thousand." In line 10 after the word "than" strike out the words "one hundred" and insert in lieu thereof the words "two hundred fifty," and as amended recommend that the Bill be concurred in.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Night Session, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 197, Clark: "An Act appropriating the sum of thirteen hundred and seventy (\$1370) dollars, or so much thereof as may be necessary, to pay the claim of Sylvan Murray for sheep killed by reason of defective dipping, and which sheep were dipped by the authority of the State of Montana." Referred to Committee on Finance and Claims.

S. B. No. 198, Clark: "An Act appropriating one thousand (\$1,000) dollars, or so much thereof as may be necessary to pay the claim of Samuel L. Pot-



ter, for sheep killed by reason of defective dipping, and which sheep were dipped by the authority of the State of Montana." Referred to Committee on Finance and Claims.

S. B. No. 199, Clark: "An Act appropriating eight thousand (\$8,000) dollars, or so much thereof as may be necessary to pay the claim of Michael Hasquet, for sheep killed by reason of defective dipping, and which sheep were dipped by the authority of the State of Montana." Referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bill was this day introduced, read first and second time, and referred as follows:

Sub. S. B. No. 98, Meadors: "An Act permitting assessments by Water Users' Associations which have contracts with the United States Government under the Reclamation Act, in lieu of previous assessments." Referred to Committee on Printing.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time and referred as follows:

S. B. No. 193, Stevens: "An Act relating to special improvements in districts in thickly populated localities outside of the limits of incorporated towns and cities, and to empower the Board of County Commissioners to create Special Improvement Districts in such localities for the purpose of constructing sanitary and storm sewers and installing lights, water works plants and such other special improvements as may be petitioned for by sixty per cent of the freeholders affected by the same, and providing for the levy and collection of special assessments to pay for the same and to extend the payment of installments over any period not exceeding eight years, and to provide for the issuance of special improvement warrants or bonds in such special improvement district." Referred to Committee on Judiciary.

S. B. No. 194, Roberts: "An Act to amend Section 1906 of the Revised Codes of Montana of 1907 as amended by Chapter 91 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, being an Act entitled, 'An Act to amend Section 1906 of the Revised Codes of Montana of 1907, relating to bounty inspectors; abolishing the office of bounty inspector and providing in lieu thereof, that the sheriff and his deputies shall act as such bounty inspectors at the county seat.'" Referred to Committee on Stock Growing.

S. B. No. 195, Williams: "An Act to amend Section 3984 of the Revised Codes of Montana of 1907, relating to the decrease or increase of the capital stock of corporations, the creation or increase of the bonded indebtedness of corporations, or the extensions or changes in the business of corporations, and the manner whereby such changes may be accomplished." Referred to Committee on Corporations Other Than Municipal.

S. B. No. 196, Kane: "An Act to provide for the payment of wages of employees and to provide penalties for violation thereof." Referred to Committee on Railroads.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported back from Standing Committees with recommendations:

Committee on Judiciary reported H. B. No. 246, introduced by Eaton; also

H. B. No. 221, by Husser; also H. B. No. 130, by Kehoe, with the recommendation that they be not concurred in. Report adopted.

Committee on Railroads and Transportation reported H. B. No. 145, by Duffy, with the recommendation that it be not concurred in. Report adopted.

Bills are herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Printing reported S. B. Nos. 160 and 161 as correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Counties and Towns this day reported H. B. No. 171 back with the recommendation that the Bill be re-referred to Committee on Fairs and Expositions. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following measures were this day reported from Standing Committees with recommendations:

Committee on Printing reported S. B. No. 193 correctly printed. Report adopted.

Committee on Elections and Privileges reported S. B. No. 188, by Roberts, with the recommendation that the Bill do pass. Report adopted.

Also reported S. B. No. 184, by Kane, with the recommendation that the Bill do not pass. Report adopted.

Also reported S. B. No. 154, by Edwards, with the recommendation that the Bill do not pass. Report adopted.

Committee on Irrigation and Water Rights reported S. B. No. 98, recommending that the Bill be indefinitely postponed, and offering a Substitute Bill for S. B. 98, with the recommendation that Substitute Bill do pass. Report adopted.

Also reported S. B. No. 187, by Meadors, with the recommendation that the Bill be indefinitely postponed. Report adopted.

Committee on Judiciary reported S. B. No. 176, by Annin, with the recommendation that the Bill do pass. Report adopted.

Also reported S. B. No. 193, by Stevens, with the recommendation that the Bill do pass. Report adopted.

Committee on Counties and Towns reported S. B. No. 107, by Whiteside, with the recommendation that the Bill do not pass. Report adopted.

Also reported S. B. No. 185, by Healy, with the recommendation that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Committee on Conference on H. B. No. 72, recommends that it pass in its original form without any amendments. Signed: Roberts and Mershon.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body

that the following House measures were this day reported from Standing Committees with recommendations:

Committee on Mines and Mining reported H. B. No. 192, by Mershon, with the recommendation that the Bill be concurred in. Report adopted.

Committee on Judiciary reported H. B. No. 245, by Eaton, with the recommendation that the same be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Night Session, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills having this day been read three several times and passed, titles agreed to, are herewith transmitted to your Honorable Body for concurrence:

S. B. No. 103, by Taylor.

S. B. No. 81, by Edwards.

S. B. No. 21, by Morris.

S. B. No. 91, by McCone.

S. B. No. 149, by Morris.

S. B. No. 166, by Committee on Counties and Towns.

S. B. No. 167, by Committee on Roads and Highways.

S. B. No. 171, by Committee on Elections and Privileges.

S. B. No. 142, by Gnose.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Night Session, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee of the Whole Senate this day reported unfavorably on the following House Bill: H. B. No. 81, introduced by Holt. Same is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to S. B. No. 10, introduced by Annin, and on motion the President appointed Senators Annin, Clark and Featherly to act with a like Committee from the House to consider House amendments to Senate Bill No. 10.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call concurred in House amendments to the following Senate Bills:

S. B. No. 73, by Burla.

S. B. No. 64, by Dwight.

S. B. No. 63, by Dwight.

S. B. No. 83, by Edwards.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Night Session, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following Senate Bills:

S. B. No. 135, introduced by Morris.

S. B. No. 11, introduced by Edwards.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Night Session, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body

that the President of the Senate this day in open session signed the following House Bills:

H. B. No. 152, introduced by Ward.

H. B. No. 153, introduced by Huffaker.

H. B. No. 82, introduced by Rainey.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 16, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day approved Senate Bill No. 135, "An Act to create the Eighteenth Judicial District of the State of Montana."

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Mason, House reverted to Fourth Order of Business.

### REPORTS OF STANDING COMMITTEES.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 338, introduced by Farmer, a Bill for an Act entitled, "An Act to amend Subdivision 4 of Section 7892 of the Revised Codes of Montana, 1907, with reference to the examination of witnesses," beg leave to report the same back to the House with the recommendation that Bill do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 317, introduced by Wheat, a Bill for an Act entitled, "An Act to fix the salary of the janitors of the State Capitol Building," beg leave to report same back to the House with recommendation that the Bill do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 344, introduced by McClory, a Bill for an Act entitled, "An Act to provide and regulate the method of determining the amount of dockage for waste, to be allowed in all cases of disagreement between the buyer and seller as to the amount thereof, and to provide penalties for the violation thereof," beg leave to report same back to the House with recommendation that Bill do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Memorial No. 9, by Husser, pertaining to the franking of Board of Health matter, beg leave to report as follows: That same be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 410, by Husser, entitled, "An Act to amend Section 919, Article 10, of the Revised Codes of the State of Montana, 1907, defining the manner of establishing a county free high school," beg leave to report as follows: That same be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 66, by McCone, a Bill for an Act entitled, "An Act to amend Section 104 of Chapter 147 of the Session Laws of the Eleventh Legislative Assembly of the State of Montana, providing for a land office expense fund, and the disposition of same," respectfully beg leave to report as follows: Amend by adding at the end of Section 1 the following: "Provided further, that no moneys



shall be paid out of this fund except when appropriated by the Legislature," and that, as amended, it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 224, by Kehoe, a Bill for an Act entitled, "An Act to amend Section 3259 of the Revised Codes of the State of Montana of 1907, relating to the powers of city and town councils," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be amended by striking out in Section 64, page 10, after the word "thereof" in line 20, everything to the word "may" in line 24, and inserting in lieu thereof the following: "and further provided, that an additional indebtedness shall be incurred, when necessary, to construct a sewerage system or procure a water supply for said town or city, which shall own, control, manage and operate such water system and supply, and shall have the power to regulate the price of water furnished thereby to the exclusion of any state board or commission and shall devote the revenues derived therefrom to the payment of the debt," and, as amended, it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 391, by Middleton, entitled, "An Act to regulate and limit the fees of sheriffs in actions for the foreclosure of mortgages," beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 390, by White, a Bill for an Act entitled, "An Act to amend Section 165 of the Revised Codes of 1907, relating to the fees of the Secretary of State," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be amended as follows: By adding after the word "corporations" in line 3 of Subdivision "X" of Section 1 of the Bill, the following: "except those engaged in interstate commerce"; also by striking out Subdivisions XIX and XX of Section 1 of said Bill on page 4, and, as amended, it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration substitute for House Bill No. 375, by White, a Bill for an Act entitled, "An Act to amend Sections 1, 2, 3, 4 and 5 of Chapter 37 of the Session Laws of the Fourteenth Legislative Assembly, entitled, 'An Act providing the fees to be paid by foreign corporation for filing a certified copy of its charter or articles of incorporation in the office of the Secretary of State of the State of Montana,'" respectfully beg leave to report as follows: That Substitute Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Ironside, from the Committee on State Boards and Officers, reported as follows:

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration Senate Bill No. 113, introduced by Edwards, a Bill for an Act entitled, "An Act to repeal Chapter 13 of the Laws of the Thirteenth Legislative Assembly of the State of Montana entitled, 'An Act to create the office of State Traveling Parole Commissioner, define the duties of said Commissioner, and fix his compensation therefor,'" report same back to the House with the recommendation that it be not concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consid-

eration Senate Bill No. 134, by Haley, entitled, "An Act providing that all lands sold subsequent to this Act, by the State of Montana, shall contain reservation to the State of Montana of all the mining deposits, oil and gas, contained therein, together with the right to prospect for, mine and remove said mineral deposits, oil, gas and coal, said rights so reserved to be subject to disposal by the State of Montana," beg leave to report as follows: That same be reported back to the House with the recommendation that it be not concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 388, by White, entitled, "An Act to amend Section 4213 of the Revised Codes of 1907, relating to the certificate of incorporation of co-operative associations, and the fee for the Secretary of State, for issuing such certificate," beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 389, by White, a Bill for an Act entitled, "An Act to amend Section 3850 of the Revised Codes of 1907, as amended by Chapter 140 of the Session Laws of the Eleventh Legislative Assembly, relating to the filing of annual statements by corporations," respectfully beg leave to report as follows: That the same be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 386, by Kemmis, entitled, "An Act to provide for the enumeration of the inhabitants of this State, for the years 1917 and 1925 and every tenth year thereafter and making an appropriation for the purposes of the enumeration to be made in the year 1917," beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 283, by Harmon, entitled, "An Act to amend Section 6 of Chapter 108 of the Session Laws of 1909, an Act to regulate the public service of stallions and jacks in Montana," beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 321, by Prosser, entitled, "An Act relating to the powers and duties of constables and fixing their compensation," beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 309, by Farmer, entitled, "An Act to provide for the compilation and revision of the Codes or other laws of the State of Montana, providing for the appointment of a commission therefor, and providing for the publication of such Codes and for the compensation of such commission, and to make an appropriation therefor," beg leave to report as follows: That it be reported back to the House with the recommendation that it be indefinitely postponed.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 323, by McMillan, entitled, "An Act making it an offense

for any executive, legislative, judicial, ministerial, or other officer of this State, or any district, county, city or other political subdivision of the State to appoint or vote for the appointment of any person related to him by affinity or consanguinity within the third degree, to any clerkship, office position, employment or duty in any department or office of the State or of any district, county, city or other political subdivision of the State of which the person making or participating in the appointment may be an officer or employee, or to appoint any person so related to any other such office in consideration of the agreement or promise of such other officer to appoint any person so related to the officer making such appointment; prohibiting the payment of any public funds to any such ineligible person out of any public funds and providing for suitable punishment and removal from office for the violation of this Act," beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 304, by Bernard and Dodds, entitled, "An Act to define the duties of the County Surveyor," beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 226, introduced by Dodds, entitled, "An Act to provide civil service for certain employees of the State of Montana and the counties and cities thereof; to provide for a Civil Service Commission and to regulate its duties," beg leave to report as follows: That it be reported back to the House with the recommendation that it be printed.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 206, by Page, entitled, "An Act authorizing and requiring the County Treasurers of the State of Montana to refund to persons holding unexpired liquor licenses, on the thirty-first day of December, 1918, the amount of the unexpired portion of such licenses," beg leave to report as follows: That it be reported back to the House with the recommendation that it be indefinitely postponed.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 393, by Shaw, entitled, "An Act to amend Section 2957 of the Revised Codes of the State of Montana of 1907, as amended by Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly, relating to the enumeration of county officers, and Section 3100 of the Revised Codes of the State of Montana of 1907, relating to the creation of the office of County Auditor within certain counties in the State of Montana," beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 334, by Andrew, entitled, "An Act to define the powers and duties of County Surveyors, to provide for their compensation, and to create the office of County Engineer in counties of the first class," beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consid-

eration H. B. No. 405, by Shaw, a Bill for an Act entitled, "An Act to amend Section 1906 of the Revised Codes of Montana, 1907, as amended by Chapter 91 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, providing that any Justice of the Peace or Notary Public within any county shall act as Bounty Inspector of such county, and prescribing the duties and fixing the compensation of such bounty inspectors," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 406, by Carll, a Bill for an Act entitled, "An Act to amend Section 546 of the Revised Codes of 1907 of the State of Montana, relating to the number of official ballots to be provided by the county clerk at all general elections," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 294, by Dodds, a Bill for an Act entitled, "An Act to establish a county game commission, to provide for the appointment, powers and duties thereof, and tenure of office of the members of the same; to provide for a county hunting license, the manner of issuing the same and for the disposal of moneys received therefrom; and to provide for the propagation of game and game foods; and making it a misdemeanor to hunt without a county license," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 277, by Judiciary Committee, entitled, "A Bill for an Act to amend Section 7891 of the Revised Codes of Montana of 1907, relating to witnesses, as amended by Chapter 66, Session Laws of 1909, and as amended by Chapter 41, Session Laws of 1913," beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 293, introduced by Eaton, a Bill for an Act entitled, "An Act to accept the terms and provisions of the Federal Act giving aid to the several states for vocational education, etc.," beg leave to report as follows: That it be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 78, by Harbert, a Bill for an Act entitled, "An Act to amend Sections 786, 2196 and 2197 of the Revised Codes of Montana of 1907, relating to the investment of permanent school funds and other permanent funds of the State of Montana, by changing the provisions governing the investment of such funds and adding provisions thereto, so that the earnings of such funds shall be increased, and repealing all laws or parts of laws in conflict with this Act," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it be indefinitely postponed.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 116, by Roberts, entitled, "An Act to permit an application for a State Farm Loan being made and considered and a certificate being furnished pending the final breaking, clearing or improvement of the land upon



which the loan is sought," beg leave to report as follows: That same be reported back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 146, by Lane, entitled, "An Act to amend Section 8267 of the Revised Codes of the State of Montana, relating to barratry," beg leave to report as follows: That same be reported back to the House with the recommendation that it be not concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 417, by Higgins, entitled, "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder, and repealing all Acts in conflict with this Act," beg leave to report as follows: That same be reported back to the House with the recommendation that it be printed and placed on General Orders.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 408, by Oscar Anderson, entitled, "An Act providing that where there are two or more voting places in one voting precinct in any county of this State that the registered voter may designate at which voting place he desires to vote, and directing the County Clerk to make such change on the books and lists of the county," beg leave to report as follows: That same be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 147, by Williams and Gnose, a Bill for an Act entitled, "An Act providing that the name of any county within this state may be changed, and providing a method whereby such change may be accomplished," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it be amended as follows:

Amend Senate Bill No. 147 by inserting after Section 9 of the printed Bill, page 5, at line 98, just preceding Section 10, to be known and designated as Sections 10, 11, 12, 13 and 14, and Sections 10 and 11 of the printed Bill to be re-numbered as Sections 15 and 16. Said new Sections to be inserted in the Bill by way of amendment being as follows:

"Section 10. All public records and property of the county existing under the former name shall be and become the public records and property of the county of the new name and in all conveyances, indentures, instruments, decrees of courts and other records, where the former name of the county occurs, said former name shall hereafter be construed to mean the new name of the county. All writs and processes in force and existence under the former name of the county shall thereafter be the writs and processes of and appertaining to the county under its new name; and all bonds, undertakings and sureties alive and in existence and running to or standing in the former name of the county, shall have the same force, effect, and in relation to the county under its new name as they had to the county under its former name. All suits, actions and proceedings in law or equity pending in the District Court of the county under its former name, or in any of the other courts of said county, shall continue in full force and be in existence in the said court in which they were pending, under the new name of the county; and shall not be in anywise abated or affected by the change of name.

"Section 11. The change of name herein provided for shall not impair or work a forfeiture or alteration of any vested rights and all laws of a general or

special nature applicable to the county under its former name shall thereafter apply with equal force and effect to the county under its new name.

"Section 12. All indebtedness and obligations of the county whether bonded or otherwise shall be assumed by and become the indebtedness of the county under its new name and shall be the indebtedness and obligations of such county as theretofore; and all bonds theretofore issued by the county under its former name outstanding and unpaid at the time of the rendition of the decree shall be assumed by and become due from and paid by said county under its new name. All contracts and obligations, express or implied, unfulfilled by the county at the date of the rendition of the decree shall be assumed and discharged by such county under its new name.

"Section 13. The terms of the district court in and for said county as theretofore established by the court or a judge thereof under the former name of the county shall become the terms of said court for the county under its new name and shall be held as stated in and for said county under its former name.

"Section 14. Persons who are at the date of the rendition of the decree the county, township and district officers thereafter be the county, township, district and legislative officials of the county under its new name and as such shall be entitled to the same salaries or compensation during the remainder of their terms of office that they were entitled to receive from the county under its former name. No change of name shall be so construed as to alter or modify the boundaries of the county as the same existed and were established under the former name of the county, but such boundaries shall be and remain the same until changed according to law," and that, as amended, Bill be concurred in.

Report adopted and Bill placed on General Orders.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 353, introduced by Belden, being "An Act appropriating the sum of four thousand eight hundred dollars, or so much thereof as may be necessary to pay the claims of the duly elected delegates to the Democratic, Republican and Progressive national conventions held in the year 1916," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass.

Report adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 331, introduced by Lewis, being a Bill for an Act entitled, "An Act providing for the appointment of a special agent for the office of the Attorney General, prescribing his duties, fixing his compensation, and making an appropriation for the payment of his compensation and expenses," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass.

Report adopted.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 258, introduced by Hathaway, being a Bill for an Act entitled, "An Act relating to the admission, care and retention of feeble minded persons and also persons afflicted with epilepsy to the Montana School for the Deaf and Blind at Boulder, Montana; to provide for court procedure to commit persons thereto; to provide for the powers and duties of all officers connected therewith; to provide for the payment of certain expenses by the Counties of the State; to make provision for the purchase of a farm in connection therewith; and to make appropriations to pay for the said farm and for building certain buildings; and defining the duties and powers of certain State Boards," report as follows:

Amend Section 2 by inserting after the word "purchase" the words "when a regular appropriation shall have been made for this purpose"; and to strike out all of Section 10 and renumber the following Sections; to strike out all of Section 13, and renumber the following Sections, and as so amended, we recommend that the Bill do pass.

Report adopted and Bill referred to Printing Committee.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 414, introduced by McQuarrie, being a Bill for an Act entitled, "An Act appropriating money for the payment of a claim of John Bigman and E. Jacot for cows slaughtered at the direction of the State Veterinary Surgeon," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass.

Report adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred Senate Bill No. 155, introduced by Burla, being a Bill for an Act entitled, "An Act providing for the appointment of an expert to make a general survey to determine the condition of the feeble minded, deaf, dumb and blind children in Montana, and making an appropriation to carry out the provisions of this Act," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it be not concurred in.

Report adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred Senate Bill No. 110, introduced by Whiteside, being a Bill for an Act entitled, "An Act to appropriate money for the construction of a building to be used as a dormitory, library and assembly hall at the State Soldiers' Home," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 374, introduced by Ingalls, being a Bill for an Act entitled, "An Act to establish a State Vocational School for Girls; prescribing its objects and purposes, maintenance and management; prescribing commitments thereto, appeals, commutations, paroles and discharges, laws for fugitives, aiding escapes, and penalties therefor; providing for materials, supplies and appropriations for all of said purposes; also for empowering the State Board of Land Commissioners to sell or lease either land or buildings, or both, for the same," having had said Bill under consideration, beg leave to report same back to the House without recommendation.

Buell of Gallatin: I move that H. B. No. 374 be printed and placed on General Orders.

Roll call demanded and motion carried by following vote:

Ayes: Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Cotter, Crismas, Demel, Dodds, Eaton, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McQuarrie, Mason, Middleton, Morrow, Murray, Page, Phelps, Rasmussen, Sand, Scott, Sektnan, Weil, Wheat, White, Working. Mr. Speaker—55.

Noes: Andrew, Clark, Crowley, Deibel, Duffy, Fishbaugh, Fuller, Gould, Huffaker, Husser, Ironside, Jensen, Kelsey, Kemmis, Lusk, McMahon, Morris, O'Brier, Prosser, Quaintance, Rainey, Searles, Shaw, Stimpert—24.

Absent and not voting: Andersen (Charles), Belden, Blodgett, Connolly, Cutts, Davis, Eliel, Farmer, Griffin, Grimes, Hawks, Hurd, Kehoe, McMillan, Spain, Ward—16.

On motion of Lusk, House reverted to Fifth Order of Business.

## INTRODUCTION AND SECOND READING OF BILLS.

Rainey was given unanimous consent to introduce a Bill without previous notice.

H. B. No. 425, introduced by Lusk: A Bill for an Act entitled, "An Act

to prevent fraud in the sale and disposition of stocks, bonds or other securities sold or offered for sale within the State of Montana, and providing for the enforcement thereof, and creating a State Investment Commissioner, substituting this Act for Chapter 85 of the Laws of the Thirteenth Legislative Assembly, and repealing said Chapter 85." Read first and second time and referred to Committee on Banks and Banking.

H. B. No. 426, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act to appropriate money for the payment of certain warrants held by Geo. F. Benninghoff." Read first and second time at length and referred to Appropriations Committee.

H. B. No. 427, introduced by Ironside: A Bill for an Act entitled, "An Act to prohibit the use of running boards on street cars and to punish violations of this Act." Read first and second time and referred to Committee on Affairs of Cities.

H. B. No. 428, introduced by Ironside: A Bill for an Act entitled, "An Act providing for the inspection of barber shops and hairdressing parlors by the State Board of Health and its inspectors; empowering said board to make rules and regulations for the conduct of said places of business that the same may be kept sanitary and thus prevent the spread of diseases among their patrons; to provide penalties for those who violate said rules and regulations, and to provide for the collection of inspection fees." Read first and second time and referred to Committee on Public Health and Sanitary Affairs.

H. B. No. 429, introduced by Judiciary Committee: A Bill for an Act entitled, "An Act authorizing the appointment of a stenographer for county attorneys in counties of the first, second, third, fourth, fifth and sixth classes." Read first and second time and referred to Judiciary Committee.

H. B. No. 430, introduced by Judiciary Committee: A Bill for an Act entitled, "An Act to amend Section 9151 of the Revised Codes of Montana of 1907, relating to joinder of offenses in same indictment or information." Read first and second time and referred to Judiciary Committee.

H. B. No. 431, introduced by Rainey: A Bill for an Act entitled, "An Act to pay certain employees of the Senate and the House as provided in Sections 76 and 81 of the Revised Codes of Montana of 1907." Read first and second time at length and referred to Appropriations Committee.

H. B. No. 432, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act appropriating money from the bounty fund for the payment of certain bounty claims which were disallowed by the State Board of Examiners owing to technical errors in the proof." Read first and second time at length and referred to Appropriations Committee.

#### READING OF SENATE BILLS.

S. B. No. 103, read first and second time and referred to Committee on Judiciary.

S. B. No. 81, read first and second time at length, and referred to Committee on Appropriations.

S. B. No. 21, read first and second time and referred to Committee on Agriculture.

S. B. No. 91, read first and second time and referred to Committee on Agriculture.

S. B. No. 149, read first and second time and referred to Committee on State Boards and Officers.

S. B. No. 166, read first and second time at length and referred to Committee on Appropriations.

S. B. No. 157, read first and second time at length and referred to Committee on Appropriations.

S. B. No. 171, read first and second time and referred to Committee on Privileges and Elections.



S. B. No. 142, Substitute for S. B. No. 100 and S. B. No. 125, read first and second time and referred to Committee on Fish and Game.

On motion of Baldwin, House reverted to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

Jones: I move that H. B. No. 281 be printed and placed on General Orders.  
Motion carried.

### THIRD READING OF SENATE BILLS.

S. B. No. 87, having been read three several times, was concurred in by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, Wheat, Working—78.

Noes: None.

Absent and not voting: Andersen (Charles), Belden, Eliel, Farmer, Gould, Hathaway, Higgins, Holt, Ingalls, Kemmis, McMillan, Morrow, Phelps, Spain, Ward, White; Mr. Speaker present but not voting—17.

Title agreed to and Bill returned to Senate.

### THIRD READING OF HOUSE BILLS.

H. B. No. 236, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Duffy, Eaton, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, Mason, Middleton, Morris, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Stimpert, Ward, Weil, Working—71.

Noes: None.

Absent and not voting: Andersen (Charles), Arneson, Baldwin, Belden, Carll, Deibel, Demel, Dodds, Eliel, Farmer, Hawks, Higgins, Husser, Kehoe, Kemmis, McMillan, McQuarrie, Morrow, Murray, Rasmussen, Spain, Wheat, White; Mr. Speaker present but not voting—24.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 264, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Crismas, Crowley, Cutts, Demel, Duffy, Eaton, Fishbaugh, Fuller, Griffin, Gullidge, Harbert, Harmon, Hathaway, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Stimpert, Ward, Weil, Wheat, Working—67.

Noes: Connolly, Davis, Grimes, Hawks, Lusk, Rainey, Rasmussen, Shaw—8.

Absent and not voting: Andersen (Charles), Belden, Blake, Blodgett, Brooks, Cotter, Deibel, Dodds, Eliel, Farmer, Gould, Henderson, Higgins, Husser,

Kehoe, McDonald, McMillan, Spain, White; Mr. Speaker present but not voting—20.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 131, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Crismas, Cutts, Davis, Deibel, Demel, Dodds, Eaton, Fishbaugh, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, Working—70.

Noes: Andrew, Connolly, Crowley, Duffy, Grimes, Ironside, McMahon, O'Brien—8.

Absent and not voting: Andersen (Charles), Belden, Blodgett, Cotter, Eliel, Farmer, Fuller, Higgins, Husser, Kehoe, Kelsey, McMillan, Phelps, Rasmussen, Spain, White; Mr. Speaker present but not voting—17.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 167, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—80.

Noes: Burnworth, Gould—2.

Absent and not voting: Andersen (Charles), Belden, Blake, Blodgett, Cotter, Cutts, Eliel, Farmer, Husser, McMillan, Page, Spain; Mr. Speaker present but not voting—13.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of White, seconded by fifteen members, a call of the House was ordered and the following members were found to be absent: Andersen (Charles), Belden, Blodgett, Cotter, Eliel, Farmer, Fishbaugh, Higgins, Husser, McDonald, McMillan, Spain. The following members appeared upon the floor of the House: Cotter, Fishbaugh, Higgins, Husser, McDonald, and McMillan, and on motion of White, call of the House was suspended.

Sub. H. B. No. 155, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Fishbaugh, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Phelps, Sand, Scott, Sektnan, Stimpert, Ward, Weil, White, Working—69.

Noes: Arneson, Ashby, Brooks, Deibel, Fuller, Gould, Henderson, Husser, Kelsey, Morris, Page, Prosser, Quaintance, Rainey, Rasmussen, Searles, Shaw, Wheat—18.

Absent and not voting: Andersen (Charles), Belden, Blodgett, Eliel, Farmer, Husser, McMillan, Spain; Mr. Speaker present but not voting—8.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 265, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Scott, Searles, Sektan, Ward, Weil—75.

Noes: None.

Absent and not voting: Andersen (Charles), Baxter, Belden, Blodgett, Cutts, Eliel, Farmer, Fuller, Higgins, Jones, McDonald, McMillan, Sand, Shaw, Spain, Stimpert, Wheat, White, Working; Mr. Speaker present but not voting—20.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 275, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Scott, Searles, Sektan, Shaw, Stimpert, Ward, Weil—78.

Noes: None.

Absent and not voting: Andersen (Charles), Belden, Blodgett, Brooks, Burnworth, Davis, Farmer, Fuller, Husser, McDonald, McMillan, Sand, Spain, Wheat, White, Working; Mr. Speaker present but not voting—17.

Title agreed to and Bill transmitted to Senate for concurrence.

### THIRD READING OF SENATE BILLS.

S. B. No. 45, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Scott, Searles, Stimpert, Weil, White—72.

Noes: Deibel, Rainey, Sand, Shaw—4.

Absent and not voting: Andersen (Charles), Belden, Blodgett, Brooks, Burnworth, Clark, Demel, Farmer, Henry, Jones, McMillan, Middleton, Rasmussen, Sektan, Spain, Ward, Wheat, Working; Mr. Speaker present but not voting—19.

Title agreed to and Bill returned to Senate for concurrence in House amendments.

Sub. S. B. No. 56, having been read three several times, was concurred in by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Ashby, Ball, Baxter, Bernard, Blake,

Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Stimpert, Weil, White—73.

Noes: Kehoe, Ward—2.

Absent and not voting: Andersen (Charles), Andrew, Baldwin, Belden, Bent, Blodgett, Brooks, Crismas, Deibel, Farmer, Fuller, Henry, Husser, Kelsey, McMillan, Shaw, Spain, Wheat, Working; Mr. Speaker present but not voting—20.

Title agreed to and Bill returned to Senate.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 296, 110, 102, 339, beg leave to report same back correctly printed.

Report adopted.

On motion of Stimpert, House reverted to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

Stimpert: I move that action on H. B. No. 204 be deferred until Monday.

Lusk: I move to lay motion upon the table.

Motion to lay upon table carried.

Eaton: I move that H. B. No. 293 be indefinitely postponed.

Motion carried.

A communication was received from the State Publishing Company, advising that they had made arrangements to obtain assistance from the Independent Publishing Company, in order to facilitate the printing of Bills, and stating that they would require two more proof readers.

On motion of Rasmussen, the Employment Committee was authorized to employ two extra proof readers.

Mr. Speaker notified the House that he was about to sign S. B. No. 73, and signed same in the presence of the House.

Murray: I move that the House resolve itself into a Committee of the Whole for the consideration of General Orders and that debate be limited to ten minutes upon any one Bill.

Motion carried.

### GENERAL ORDERS.

Lanstrum in the Chair.

House resumed.

Mr. Speaker in the Chair.

Lanstrum, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration Sub. for H. B. No. 204, by Johnston of Ravalli and Morrow, entitled, "An Act fixing the time for opening and closing of saloons and providing for the closing of saloons on Sundays and prohibiting the sale of any kind or kinds of spirituous or malt liquors on Sundays; providing penalties for violation thereof and repealing Chapters 59 and 68 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana," reported same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 305, by Committee on Affairs of Cities, entitled, "An Act relating to and regulating common carriers of passengers upon public streets, roads and highways, providing for the issuance of permits, and prescribing penalties for violation," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 273, by McQuarrie, entitled, "An Act to prevent the adulteration of linseed or flaxseed oil, to prevent decep-



tion in the sale thereof, and to provide for the punishment of such adulteration and deception," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 140, by Cotter, entitled, "An Act creating the Montana State Geological Survey, providing for the appointment of a State Geologist, providing for the issuance of pamphlets on the mineral resources of the State for the information of the general public, and appropriating money for the carrying out of the provisions of this Act," report same back with the recommendation that Section 1 thereof be amended by striking out in line 3, the word "President" and inserting in lieu thereof the word "Chancellor" and that, as amended, the same do pass.

Also, having had under consideration H. B. No. 191, by McMahon, entitled, "An Act relating to and providing for the inspection of boilers and the regulation of the use thereof, the examination and licensing of engineers, the revocation of such licenses, devolving upon the Industrial Accident Board the powers and duties of the Inspector of Boilers and of the Assistant Inspector of Boilers, providing for the performance of the duties of said Inspectors by said Industrial Accident Board and by Inspectors to be appointed by it, abolishing the offices of Inspector of Boilers and of Assistant Inspector of Boilers, and repealing laws in conflict therewith," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 144, by White, entitled, "An Act to create a tax and license commission and prescribing its powers and duties," report same back with the recommendation that Section 1 thereof be amended by striking out in line 3 the word "President"; that Section 4 thereof be amended by striking out in line 31, 32 and 33, the words "at which time, the term of this commission shall expire, unless it shall previously have made final report, and in the latter case the term of the commission shall expire with the making of its final report," and inserting in lieu thereof, the words "and the term of this commission shall expire March 1, 1919"; that Section 8 thereof be amended by adding thereto the following: "The compensation of the members of this commission shall be paid out of the general fund of the State, and there is hereby appropriated for the payment of traveling expenses, office expenses and all other expenses as authorized hereinbefore the sum of \$25,000.00"; that Section 1 thereof be amended by inserting after the word "persons" in line 2 of the printed Bill, the following words, "one of whom at least shall be a graduate of some university of recognized standing and who has studied and is skilled and expert in the matter of taxation." and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 102, by Ward, entitled, "An Act to amend Sections 1, 3, 4 and 5 and to repeal Section 12, Chapter 45, of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, relating to county libraries," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 339, by Page, entitled, "An Act providing that every liquor dealer's license shall expire on December 31, 1918, and making it the duty of every County Treasurer, County Clerk, City or Town Mayor, City or Town Clerk, and every City and Town Treasurer to issue such license to expire on December 31, 1918, to collect proportionately the license tax and to make reports and keep books of accounts accordingly," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 302, by Lewis, entitled, "An Act to provide for the creation of a Board of Library Examiners, prescribing the duties of said board and making an appropriation for the maintenance thereof," report same back with the recommendation that it be re-referred to Appropriations Committee.

Also, having had under consideration H. B. No. 237, by Charles Andersen, entitled, "An Act to amend Section 6551 of the Revised Codes of Montana of 1907, to-wit, of the Code of Civil Procedure, so as to provide for the pleading by any defendant of a cross-complaint against any of the other parties to the suit as well as new parties, for the issuance of summons thereon and the service of summons and cross-complaint, for pleading thereto, and against delays in connection

therewith; and for other purposes," report same back with the recommendation that it be re-referred to General Orders.

Also, having had under consideration H. B. No. 312, by Committee on Appropriations, entitled, "An Act appropriating money for the deficiency claims of certain persons for services rendered, supplies furnished and fees erroneously paid, which claims were approved by the State Board of Examiners," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 296, by Holt and Johnston of Ravalli, entitled, "An Act providing for the extermination of gophers and prescribing the manner in which the expenses of exterminating the same shall be paid," report same back with the recommendation that same be amended by striking out in line 5 the word "August" and inserting in lieu thereof the word "June," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 333, by Committee on Fairs and Expositions, entitled, "An Act to amend Section One of Chapter 55 of the Session Laws of the Fourteenth Legislative Session of the State of Montana, relating to wagers," report same back with the recommendation that it do pass.

Also, having had under consideration H. J. M. No. 8, by Kemmis and Anderson, entitled, "A Resolution memorializing Congress for the passage of necessary legislation to authorize the Northern Pacific Railway Company to relinquish certain lands in the State of Montana in favor of bona fide settlers thereon and to select other lands in the State of Montana in lieu thereof," report same back with the recommendation that it do pass.

Lanstrum: I move the adoption of the report.

Lewis: As a substitute, I move that the report of the Committee of the Whole be adopted with the exception of H. B. No. 333 and that it be segregated from the report.

On motion of Lanstrum, seconded by fifteen members, a call of the House was ordered and the following members were found to be absent: Andersen (Charles), Belden, Bernard, Blake, Blodgett, Buell of Missoula, Clark, Farmer, McMillan, Ironside, Phelps and Spain. Ironside and Clark appeared upon the floor of the House and upon motion of Lanstrum, call of the House was suspended.

Substitute motion was lost and report of the Committee of the Whole adopted.

Mr. Speaker notified the House that he was about to sign Senate Bills Nos. 114, 104, 83, 32, 7, 88, 29, 48, 63 and signed same in the presence of the House. Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 38, introduced by Jones, beg leave to report same back as correctly enrolled.

Report adopted.

Mr. Speaker notified the House that he was about to sign H. B. No. 38 and signed same in the presence of the House.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bill has been delivered to His Excellency, the Governor: February 17, 1917, at 4:35 P. M., House Bill No. 128.

On motion of Baxter, House recessed until 8:00 P. M.

#### EVENING SESSION.

House reassembled at 8:00 P. M.

Mr. Speaker in the Chair.

On motion of Shaw, House reverted to Sixth Order of Business.

#### MOTIONS AND RESOLUTIONS.

Shaw: I move that the vote on the report of the Judiciary Committee on H. B. No. 393 be reconsidered.

Motion carried.

Shaw: I move that H. B. No. 393 be printed and placed on General Orders. Motion carried.

McMahon: I move that House Bills Nos. 140 and 144 be considered engrossed and placed on Third Reading. Motion carried.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 329, 225, 348, beg leave to report same back correctly printed.

Report adopted.

On motion of Mason, House reverted to Fifth Order of Business.

### INTRODUCTION AND SECOND READING OF BILLS.

Mason was granted unanimous consent to introduce a Bill without previous notice.

H. B. No. 433, introduced by Husser: A Bill for an Act entitled, "An Act to amend Section 919, Article 10, of the Revised Codes of Montana, 1907, relating to the manner of establishment of free county high schools." Read first and second time and referred to Committee on Education.

H. B. No. 434, introduced by Mason, Harbert and Rasmussen: A Bill for an Act entitled, "An Act to amend Sections two (2), eleven (11) and twenty (20) of the Act known as the direct primary law which was initiated and passed by the people of the State of Montana at the general election of November, 1912, said primary law being entitled as follows, 'A Bill to propose by initiative petition a law to provide for party nominations by direct vote.'" Read first and second time and referred to Special Committee on Primary Elections.

H. B. No. 435, introduced by Kelsey: A Bill for an Act entitled, "An Act to regulate the use, appropriation, distribution, reclamation and measurement of public waters, and the construction and maintenance of ditches, canals and reservoirs, and the exercise of the right of eminent domain for the appropriation of water and construction of ditches, canals and reservoirs; to create the offices of State engineer, assistant engineer, irrigation engineers, division superintendent and water master; and to define their duties and fix their fees and compensation; to create a Board of Examiners and to define their duties and fix their compensation; to designate the water divisions of the State; to provide a method for determining the rights and priorities of claimants diverting, using, carrying or storing water for irrigation or other purposes, and providing for appeals therefrom, to provide for the issuance of permits to appropriate water; to require the owner of a ditch or canal to construct bridges; to punish parties interfering with the rights to use water; or trespassing upon ditches, canals, reservoirs or irrigation works for the conveyance or storage of water; to make an appropriation to carry this Act into effect; and repealing all Acts and parts of Acts in conflict herewith." Read first and second time at length and referred to Appropriations Committee.

On motion of Johnston of Ravalli, seconded by fifteen members, a call of the House was ordered and the following members were found to be absent: Andersen (Charles), Anderson (Oscar W.), Arneson, Ball, Belden, Booth, Buell, Missoula, Cotter, Deibel, Farmer, Griffin, Hawks, Henderson, Henry, Holt, McDonald, McMillan, McQuarrie, Quaintance, Rainey, Spain, Wheat. Anderson (Oscar W.) and Hawks appeared on the floor of the House and on motion of Blake, further call of the House was suspended.

McMahon, from the Committee on Rules, Joint Rules and Order of Business, reported as follows:

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration the following motion by Baxter, "I move that a Sifting Committee be appointed by the Speaker to fix the order of consideration of all Bills, Memorials and Resolutions coming before the House," beg leave to report and recommend that the same do pass.

McMahon: I move the adoption of the report.

Higgins: I move that report be laid on table.  
Motion lost and report of Committee adopted.

### THIRD READING OF HOUSE BILLS.

Sub. H. B. No. 204, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Baldwin, Baxter, Bent, Bernard, Blake, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Cr'smas, Davis, Demel, Dodds, Eaton, Eliel, Gullidge, Harbert, Harmon, Hathaway, Hawks, Higgins, Hurd, Ingalls, Johnston of Ravalli, Kemmis, Larse, Lemmon, Lewis, Lusk, McClory, Mason, Middleton, Morrow, Phelps, Quaintance, Rasmussen, Sand, Sektnan, Stimpert, Weil, White, Working, Mr. Speaker—47.

Noes: Andrew, Ashby, Ball, Blodgett, Connolly, Crowley, Cutts, Duffy, Fishbaugh, Fuller, Gould, Grimes, Huffaker, Husser, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kelsey, Lanstrum, McDonald, McMahon, Morris, Murray, O'Brien, Page, Prosser, Scott, Searles, Shaw, Ward—31.

Absent and not voting: Andersen (Charles), Arneson, Belden, Booth, Brooks, Deibel, Farmer, Griffin, Henderson, Henry, Holt, Kehoe, McMillan, McQuarrie, Rainey, Spain, Wheat—17.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 305, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Brooks, Buell of Gallatin, Buchanan, Carll, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—73.

Noes: Clark, Phelps—2.

Absent and not voting—Andersen (Charles), Arneson, Belden, Booth, Buell of Missoula, Burnworth, Deibel, Farmer, Griffin, Hawks, Henderson, Henry, Holt, Lusk, McClory, McMillan, McQuarrie, Mason, Rainey, Spain—20.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 273, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Brooks, Buell of Gallatin, Buchanan, Burnworth, Clark, Cotter, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lewis, McClory, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Wheat, White, Working, Mr. Speaker—69.

Noes: Connolly, Cutts, Eliel, Johnson of Deer Lodge, Lemmon, Lusk, McDonald, McMahon, Ward, Weil—10.

Absent and not voting: Andersen (Charles), Arneson, Belden, Booth, Buell of Missoula, Carll, Deibel, Farmer, Griffin, Henderson, Henry, Holt, McMillan, McQuarrie, Rainey, Spain—16.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 312, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Brooks, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harmon, Hathaway, Hawks, Hig-



gins, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Quaintance, Rasmussen, Sand, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working, Mr. Speaker—71.

Noes: None.

Absent and not voting: Andersen (Charles), Arneson, Belden, Blodgett, Booth, Buell of Missoula, Carll, Deibel, Farmer, Griffin, Harbert, Henderson, Henry, Holt, Husser, Johnston of Ravalli, McClory, McMillan, McQuarrie, Murray, Prosser, Rainey, Scott, Spain—24.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 191, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Buell of Gallatin, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Fishbaugh, Fuller, Gould, Gullidge, Harbert, Harmon, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Larse, Lemmon, Lewis, McClory, McMahon, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Rasmussen, Sand, Scott, Sektnan, Stimpert, Ward, Weil, White, Working, Mr. Speaker—58.

Noes: Baldwin, Brooks, Buchanan, Eaton, Eliel, Hawks, Higgins, Huffaker, Husser, Jones, Kemmis, Lanstrum, Lusk, McDonald, Page, Prosser, Quaintance, Searles, Shaw, Wheat—20.

Absent and not voting: Andersen (Charles), Arneson, Belden, Booth, Buell of Missoula, Deibel, Farmer, Griffin, Grimes, Hathaway, Henderson, Henry, Holt, McMillan, McQuarrie, Rainey, Spain—17.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 140, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Brooks, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gullidge, Harmon, Hawks, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Ward, Weil, Wheat, White, Working, Mr. Speaker—83.

Noes: Gould, Kemmis—2.

Absent and not voting: Andersen (Charles), Arneson, Belden, Booth, Buell of Missoula, Deibel, Farmer, Griffin, Grimes, Harbert, Hathaway, Henderson, Holt, McClory, McMillan, Rainey, Spain, Stimpert, Buell of Gallatin—20.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 333, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Ball, Baxter, Blake, Blodgett, Brooks, Buchanan, Clark, Connolly, Crowley, Duffy, Fishbaugh, Fuller, Grimes, Hawks, Higgins, Huffaker, Hurd, Husser, Ironside, Jensen, Jones, Lanstrum, Lusk, McDonald, McMahon, Mason, Middleton, Morris, Murray, O'Brien, Page, Prosser, Quaintance, Scott, Searles, Shaw, Ward, Weil, Working—42.

Noes: Baldwin, Bent, Bernard, Buell of Gallatin, Burnworth, Carll, Cotter, Crismas, Davis, Demel, Dodds, Eaton, Eliel, Gould, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Morrow, Phelps, Sand, Sektnan, Wheat—34.

Absent and not voting: Andersen (Charles), Arneson, Belden, Booth, Buell of Missoula, Cutts, Deibel, Farmer, Griffin, Holt, McClory, McMillan, McQuarrie,

Rainey, Rasmussen, Spain, Stimpert, White; Mr. Speaker present but not voting—19.

Title agreed to and Bill transmitted to Senate for concurrence.

H. J. M. No. 8, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Fishbaugh, Fuller, Gould, Gullidge, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, Mason, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Shaw, Ward, Weil, Wheat, White, Working—71.

Noes: Duffy, Kelsey—2.

Absent and not voting: Andersen (Charles), Arneson, Belden, Booth, Buell of Missoula, Deibel, Eaton, Eliel, Farmer, Griffin, Grimes, Harbert, Holt, Lanstrum, McMillan, McQuarrie, Middleton, Rainey, Rasmussen, Spain, Stimpert; Mr. Speaker present but not voting—22.

Title agreed to and Memorial transmitted to Senate for concurrence.

H. B. No. 102, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ball, Baxter, Bernard, Blake, Blodgett, Brooks, Buchanan, Carll, Clark, Cotter, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, Mason, Middleton, Morris, Morrow, O'Brien, Page, Sand, Searles, Shaw, Ward, Weil, White, Working—61.

Noes: Baldwin, Bent, Burnworth, Crismas, Murray, Phelps, Prosser, Scott, Sektnan, Wheat—10.

Absent and not voting: Andersen (Charles), Arneson, Ashby, Belden, Booth, Buell of Missoula, Buell of Gallatin, Connolly, Cutts, Deibel, Farmer, Griffin, Holt, Huffaker, Ingalls, Kelsey, McMillan, McQuarrie, Quaintance, Rainey, Rasmussen, Spain, Stimpert; Mr. Speaker present but not voting—24.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 339, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Bent, Bernard, Blake, Blodgett, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Cutts, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, Mason, Middleton, Morris, Morrow, Murray, Page, Phelps, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Shaw, Ward, Weil, Wheat, White, Working—73.

Noes: Baxter, Jensen—2.

Absent and not voting: Andersen (Charles), Arneson, Belden, Booth, Buell of Missoula, Connolly, Davis, Deibel, Farmer, Griffin, Holt, Johnston of Ravalli, McDonald, McMillan, McQuarrie, O'Brien, Rainey, Rasmussen, Spain, Stimpert; Mr. Speaker present but not voting—21.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 144, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy,

Eaton, Eliel, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McMahon, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Prosser, Quaintance, Sand, Scott, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—71.

Noes: Henry, Jones, Lewis, McClory, Page, Phelps—6.

Absent and not voting: Andersen (Charles), Arneson, Belden, Booth, Buell of Missoula, Deibel, Farmer, Griffin, Henderson, Holt, McDonald, McMillan, McQuarrie, Rainey, Rasmussen, Searles, Spain; Mr. Speaker present but not voting—18.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Lanstrum, House resolved itself into a Committee of the Whole for the consideration of General Orders.

### GENERAL ORDERS.

Cotter in the Chair.

House resumed.

Mr. Speaker in the Chair.

Cotter, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 225, by Harmon, entitled, "An Act to amend Sections 1803 and 1805 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to contracts for supplying basal and supplementary text books," report same back to the House with the recommendation that Section 1 thereof be amended by inserting after the words and figures "Section 1803" the words and figures "Chapter 76"; that Section 2 thereof be amended by inserting after the words and figures "Section 1803" the words and figures "Chapter 76"; and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 318, by Kemmis, entitled, "An Act making all places where intoxicating liquors are manufactured, sold or given away in violation of the law common nuisances, providing for the punishment for the maintaining of the same, and providing for the abatement thereof and providing for the seizure and destruction of such intoxicating liquors and fixtures," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 329, by Ball, entitled, "An Act creating and providing for county athletic commissions in counties of the first class and regulating boxing and sparring contests in counties of the first class in the State of Montana," report same back to the House with the recommendation that same be amended by adding in line 123, after the word "towns," the words "in counties of the first class," and also in line 125, after the word "towns," the word "in counties of the first class," and that, as amended, same do pass.

Report adopted.

On motion of Mason, House reverted to Third Order of Business.

### REPORTS OF SELECT COMMITTEES.

Mason, from the Special Committee on Primary Elections, reported as follows:

Mr. Speaker: We, your Special Committee on Primary Elections, having had under consideration House Bill No. 434, by Mason, Harbert and Rasmussen, a Bill for an Act entitled, "An Act to amend Sections two (2), eleven (11) and twenty (20) of the Act known as the Direct Primary Law which was initiated and passed by the people of the State of Montana at the general election of November, 1912, said primary law being entitled as follows, 'A Bill to propose by initiative petition a law to provide for party nominations by direct vote,' " respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

On motion of McMahon, House proceeded to Ninth Order of Business.

## THIRD READING OF HOUSE BILLS.

McMahon: I move that House Bills Nos. 225, 325, 324 be considered correctly engrossed and placed on Third Reading for passage.

Motion carried.

H. B. No. 225, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blodgett, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, Mason, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—79.

Noes: None.

Absent and not voting: Andersen (Charles), Arneson, Belden, Blake, Booth, Buell of Missoula, Davis, Farmer, Griffin, Holt, McMillan, McQuarrie, Murray, Spain; Mr. Speaker present but not voting—16.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 348, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blodgett, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—76.

Noes: Jensen—1.

Absent and not voting: Andersen (Charles), Andrew, Belden, Blake, Booth, Buell of Missoula, Deibel, Farmer, Griffin, Holt, Ingalls, Ironside, McClory, McMillan, McQuarrie, Rainey, Spain; Mr. Speaker present but not voting—18.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 329, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Bernard, Blodgett, Brooks, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Cutts, Davis, Duffy, Eliel, Fishbaugh, Fuller, Grimes, Gullidge, Hawks, Henderson, Henry, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Lanstrum, Lusk, McClory, McDonald, McMahon, Mason, Middleton, Morris, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Scott, Searles, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—56.

Noes: Bent, Cotter, Crismas, Demel, Eaton, Fuller, Harmon, Higgins, Johnston of Ravalli, Kelsey, Kemmis, Larse, Lemmon, Lewis, Morrow, Phelps, Sand, Sektnan—18.

Absent and not voting: Andersen (Charles), Arneson, Belden, Blake, Booth, Buell of Missoula, Buell of Gallatin, Deibel, Dodds, Farmer, Griffin, Harbert, Harmon, Holt, Ingalls, Jones, McMillan, McQuarrie, Rainey, Spain; Mr. Speaker present but not voting—21.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Eliel, House adjourned until 10:00 A. M., Monday, February 19, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.



## FIFTIETH DAY

Monday, February 19, 1917.

House met at 10:00 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by the Chaplain.

Roll called. All members present.

Ironside, from the Committee on Journal, reported as follows:

Mr. Speaker: We, your Committee on Journal, beg leave to report that we have examined the Journal of the forty-eighth day and find the same to be correct.

Report adopted.

## REPORTS OF STANDING COMMITTEES.

Morris, from the Committee on Livestock and Public Ranges, reported as follows:

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 319, by Kelsey, a Bill for an Act entitled, "An Act to amend Section 1 of Chapter 131 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, 'An Act to protect the owners of cattle and to cause the inspection of the same before their removal from one county to another within the State of Montana,'" respectfully beg leave to report as follows: That it is recommended that this Bill do pass.

Report adopted and Bill referred to Printing Committee.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: Your Committee on Ways and Means, to whom was referred Senate Bill No. 413, introduced by Cutts, entitled, "An Act to provide a budget system for the control of all expenditures of State moneys," beg leave to report as follows: That the Bill be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

## MOTIONS AND RESOLUTIONS.

Carl: I move that the Committee on Education be relieved of further consideration of all the Bills they have in Committee at the present time.

Holt: I move, as a substitute, that H. B. No. 190 be taken from the Committee on Education and placed on General Orders.

Substitute motion carried.

McMahon: I move that H. B. No. 207 be placed on General Orders.

Motion carried.

On motion of McMahon, House reverted to Fifth Order of Business.

## INTRODUCTION AND SECOND READING OF BILLS.

Holt was given unanimous consent to introduce two Bills without previous notice.

H. B. No. 436, introduced by Lemmon: A Bill for an Act entitled, "An Act to amend Sections 140 and 141 of the Revised Codes of Montana, 1907, and providing for the compensation and duties of the Private Secretary to the Governor and the Executive Clerk." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 437, introduced by Holt: A Bill for an Act entitled, "An Act providing for the imposition of an annual State license tax, for State purposes, upon each and every person, firm, association, company and corporation engaged in the occupation of business, in the State of Montana, of mining precious metals; generating or producing electricity or electric power by hydro-power or transmitting or selling electricity or electric power generated or produced by hydro-power; telegraph business; telephone business; express business; sleeping car, drawing car or palace car business; providing the manner in which such annual license

taxes shall be imposed, collected and paid; and providing forfeitures and penalties thereof." Read first and second time and referred to Committee on Ways and Means.

H. B. No. 438, introduced by Holt: A Bill for an Act entitled, "An Act providing for the submission to the qualified electors of the State of Montana of an amendment to Article XII of the Constitution of the State of Montana, by adding thereto a new section to be designated Section 19 providing for the levy of a tax on lands of the State, agricultural in character, for the purpose of creating a fund to insure growing crops against loss by hail." Read first and second time and referred to Special Committee on Constitutional Amendments.

#### READING OF SENATE BILLS.

S. B. No. 193, read first and second time and referred to Committee on Judiciary.

S. B. No. 127, read first and second time and referred to Committee on Judiciary.

S. B. No. 161, read first and second time and referred to Committee on Railroads and Transportation.

S. B. No. 137, read first and second time and referred to Committee on Ways and Means.

S. B. No. 181, read first and second time and referred to Committee on Railroads and Transportation.

S. B. No. 160, read first and second time and referred to Committee on Judiciary.

S. B. No. 150, read first and second time and referred to Committee on Judiciary.

S. B. No. 80, read first and second time and referred to Committee on Education.

S. B. No. 138, read first and second time and referred to Committee on New Counties and Divisions.

S. B. No. 159, read first and second time and referred to Committee on Agriculture.

S. B. No. 153, read first and second time and referred to Committee on Judiciary.

S. J. M. No. 3, read first and second time and referred to Committee on Federal Relations.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 296, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on General Orders.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, Afternoon Session, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported from Standing Committees with recommendations:

Agriculture Committee, H. B. No. 198, by Belden, be concurred in.

Agriculture Committee, H. B. No. 16, by Stimpert, be concurred in.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Enrollment reported S. B. Nos. 63, 83, 29, 49, 104, 114, 32, 7 and 88 correctly enrolled. Report adopted.

Committee on Printing reported S. B. Nos. 93, 169, 179, 105 and 12 correctly printed. Report adopted.

Committee on Horticulture reported S. B. No. 174, by Kane, with the recommendation that the Bill be printed. Report adopted.

Committee on Judiciary reported S. B. No. 200, by Williams, with the recommendation that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were reported from Standing Committees with recommendations:

Committee on Enrollment reported Senate Bill No. 73, by Burla, as correctly enrolled. Report adopted.

Committee on Printing reported Senate Bills Nos. 170, 138, 150 and 80, as correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Corporations Other Than Municipal reported Senate Bill No. 195, by Williams, with the recommendation that the Bill do pass. Report adopted.

Committee on Printing reported S. B. Nos. 181, 129, 153 and 157 correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 200, Williams: "An Act to amend Section 1 of Chapter 13, of the Laws of the Thirteenth Legislative Assembly of the State of Montana, relative to the State Traveling Parole Commissioner." Referred to Committee on Judiciary.

S. J. M. No. 4, Healy: "Relating to game protection." Referred to Committee on Fish and Game.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day read first and second time and referred:

H. B. No. 250, by Mason. Sanitary Affairs Committee.

H. B. No. 284, by Clark. Committee on Public Lands.

H. B. No. 159, by Ironside. Committee on Railroads.

H. B. No. 184, by Blake. Committee on Labor and Capital.

H. B. No. 180, by Shaw. Committee on Stock Growing.

H. B. No. 315, by Committee on Appropriations. Committee on Finance and Claims.

H. B. No. 290, by Blodgett. Committee on Finance and Claims.

H. B. No. 314, by Appropriations Committee. Committee on Finance and Claims.

H. B. No. 316, by Appropriations Committee. Committee on Finance and Claims.

H. B. No. 295, by Prosser. Committee on Judiciary.

H. B. No. 279, by Morrow. Committee on Counties and Towns.

H. B. No. 313, by Appropriations Committee. Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second time and referred as follows:

H. B. No. 242, by Belden, providing for publication, preservation and distribution of debates, etc., of the Constitutional Convention. Referred to Committee on Finance and Claims.

H. J. M. No. 8, by Anderson, memorializing Congress to pass legislation authorizing the Northern Pacific to relinquish certain lands in the State. Referred to Committee on Federal Relations.

H. B. No. 244, by Kemmis, appropriating money for certain retail liquor dealers in Richland County. Referred to Committee on Finance and Claims.

H. B. No. 261, by Eaton, defining how mileage shall be computed. Referred to Committee on Railroads and Transportation.

H. B. No. 270, by Charles Anderson, securing for threshermen a lien upon grain and other crops. Referred to Committee on Agriculture.

H. B. No. 73, by Husser, providing for redemption of property sold under mortgage foreclosure proceedings. Referred to Committee on Judiciary.

H. B. No. 267, by Stimpert, amending the Constitution relating to County Commissioners. Referred to Committee on Constitutional Amendments.

H. B. No. 215, by Higgins, an Act to equalize the opportunity for higher education of the youth. Referred to Committee on Finance and Claims.

H. B. No. 256, by Spain, regulating the sale and distribution of tuberculin. Referred to Committee on Sanitary Affairs.

H. B. No. 232, by Bernard, providing for teacher training. Referred to Committee on Finance and Claims.

H. B. No. 327, by Lanstrum, amending Section 2763 of the Revised Codes. Referred to Committee on Towns and Municipal Corporations.

H. J. M. No. 7, by McMahon, relative to policing Yellowstone National Park. Referred to Committee on Federal Relations.

H. B. No. 259, by Appropriation Committee, appropriating money for the bounty fund. Referred to Committee on Finance and Claims.

H. B. No. 269, by Deibel, amending Sections relating to payment of salaries. Referred to Committee on Judiciary.

H. B. No. 233, by Husser, empowering the State Board of Health to require analysis of waters furnished and sold to the public. Referred to Committee on Sanitary Affairs.

H. B. No. 199 (Sub.) by Higgins, relating to construction, etc., of electrical appliances. Referred to Committee on Labor and Capital.

H. B. No. 135, by Kehoe, providing commission-manager plan of government. Referred to Committee on Counties and Towns.

H. B. No. 131, by Bernard, relating to the regulation and control of certain public utilities. Referred to Committee on Finance and Claims.

H. B. No. 16, by Stimpert, authorizing the State to become indebted in excess of the constitutional limit. Referred to Committee on Agriculture.

H. B. No. 164, by Hurd, providing for the letting of contracts for public printing. Referred to Committee on Printing.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that S. J. M. No. 3, introduced by Edwards, was introduced without previous notice by unanimous consent of Senate, read and adopted, and is herewith transmitted to your Honorable Body for concurrence.

Respectfully,

J. F. CONE, Secretary of the Senate.



Senate Chamber, Helena, Montana, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to S. B. No. 92, and on motion the President appointed Senators Jones, Oliver and Muffy to act with a like Committee to be appointed by the Speaker to confer on the House amendments to S. B. No. 92.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day on roll call concurred in House amendments to S. B. No. 33, by Stevens; also House amendments to S. B. No. 106, by Stevens; also House amendments to S. B. No. 51, by Gallwey; also House amendments to S. B. No. 139, by the Joint Stock Growing and Grazing Committee.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day advised that he had approved the following Senate Bills:

- S. B. No. 8, Oliver.
- S. B. No. 11, Edwards.
- S. B. No. 19, Burlingame.
- S. B. No. 95, Slayton.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills having been read three several times and passed, titles agreed to, are herewith transmitted to your Honorable Body for concurrence:

- S. B. No. 193, by Stevens.
- S. B. No. 127, by Jones.
- S. B. No. 137, by Edwards.
- S. B. No. 160, by Jones.
- S. B. No. 161, by Healy.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the vote by which House Bill No. 130 was acted on unfavorably by the Senate was this day reconsidered and on motion the Bill was asked to be returned to the Senate and referred to the Judiciary Committee. Motion adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills having this day been read three several times and passed, titles agreed to, are herewith transmitted to your Honorable Body for concurrence:

- S. B. No. 181, by Ellingson.
- S. B. No. 159, by Slayton.
- S. B. No. 80, by Haley.
- S. B. No. 138, by Annin.
- S. B. No. 150, by Kinney.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bill having this day been read three several times, and passed,

title agreed to, is herewith transmitted to your Honorable Body for concurrence.  
S. B. No. 153, by Smith.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following House Bill:

H. B. No. 128, by Demel and Scott.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following Bills:

S. B. No. 73, by Burla.

S. B. No. 64, by Dwight.

S. B. No. 83, by Edwards.

S. B. No. 48, by Stevens.

S. B. No. 29, by Oliver.

S. B. No. 32, by Oliver.

S. B. No. 114, by Slayton.

S. B. No. 7, by Lane.

S. B. No. 104, by Gallwey.

S. B. No. 88, by Gallwey.

Respectfully,

J. F. CONE, Secretary of the Senate.

### THIRD READING OF HOUSE BILLS.

H. B. No. 296, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Baldwin, Ball, Baxter, Bent, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Crismas, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harmon, Hathaway, Holt, Hurd, Husser, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McMillan, Mason, Middleton, Morrow, Murray, Page, Phelps, Prosser, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White—63.

Noes: Bernard, Buell of Missoula, Clark, Hawks, Henderson, Henry, Huf-faker, Ingalls, Kelsey, Kemmis, McQuarrie, Morris, Quaintance, Rainey, Rasmus-sen, Searles, Working—17.

Absent and not voting: Andersen (Charles), Arneson, Ashby, Belden, Blod-gett, Booth, Cotter, Crowley, Farmer, Harbert, Ironside, McDonald, O'Brien, Ward; Mr. Speaker present but not voting—15.

Title agreed to and Bill transmitted to Senate for concurrence.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 207, 349, 115, 345, 326, 351, 272, 150, 276, 179, 126, 382, 165, 359, 395, 328, 203, 37, 392, 222, 223, 385, 360, 398 and 383, beg leave to report same correctly printed.

Report adopted.

Eliel: I move that the House resolve itself into a Committee of the Whole for the consideration of General Orders, and that House consider only House Bills, and that debate be limited to ten minutes upon any one Bill.

### GENERAL ORDERS.

Johnson of Deer Lodge in the Chair.

House resumed.

Mr. Speaker in the Chair.

Johnson, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 207, by Weil, entitled, "An Act amending Chapter 78 of the Session Laws of the Thirteenth Legislative Assembly, entitled, 'An Act to establish a Montana, State Highway Commission, defining its duties and powers and providing for its compensation, providing for a State Highway Commission Fund, and appropriating money therefor, amending Sections 1, 2, 3, 4, 5, 7, 11 and 12, and repealing Sections 6, 8, 9 and 10,'" report same back to the House with the recommendation that it be re-referred to General Orders.

Also, having had under consideration H. B. No. 272, by Mason, entitled, "An Act providing for a Code Commissioner, the appointment of same, the date of said appointment and his term and oath of office; the division of the codes and indexing of same, the matter to be included therein, the identification of the statutes, the powers and compensation of said commissioner, the annotation and form of publication of said codes, the contract for the printing of same, the bond of contractor, the disposition of said Revised Codes and providing an appropriation for same," report same back to the House with the recommendation that it be re-referred to Committee on Appropriations.

Also, having had under consideration H. B. No. 150, by Griffin, entitled, "An Act to regulate the manner of sales of real estate under a power of sale in mortgages, providing for redemption therefrom and providing a method for the ascertainment of attorney fees when property is sold under mortgage by virtue of a power of sale therein contained, and to repeal all Acts and parts of Acts in conflict therewith," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 276, by Cotter, entitled, "An Act to amend Section 23A of Chapter 140 of the Laws enacted by the Twelfth Legislative Assembly of the State of Montana, and to add a new section to said Chapter 140, to be numbered Section 23B, concerning the valuation of benefit certificates of fraternal benefit societies in force upon a basis designated accumulation basis; prescribing the method of arriving at such valuation, and the financial condition which such societies shall maintain, and conferring certain powers upon and prescribing certain duties to be performed by the State Commissioner of Insurance," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 179, by Belden, entitled, "An Act to establish a State Normal School at Lewistown, Montana, which shall be known as the Central Montana State Normal School, to make the same a part of the University and providing for its regulation, location and control; making appropriation for its equipment and maintenance and to provide for the necessary buildings for the same, and amending Sub-Section (1) of Section 106 and Sub-Section (2) Subdivision (b) 1 of Section 108 of Chapter 76 of the Laws of the Thirteenth Session of Montana," report same back with the recommendation that action be deferred.

Also, having had under consideration H. B. No. 126, by Jones, entitled, "An Act to amend Section 4312 of the Revised Codes of the State of Montana, 1907, relating to the penalty for failure to keep record of stock killed or injured by railway companies as provided for in Section 4311," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 396, by Committee on Highways, entitled, "An Act to amend Section 12 of Chapter III of Chapter 141 of the Laws of the Fourteenth Legislative Assembly, known as the General Highway Law, relating to the classification and permanent improvement of public highways," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 395, by Oscar Anderson, entitled, "An Act to establish a game preserve in the South Moccasin Mountains, Fergus County, Montana, for the protection of game animals and game birds, and providing penalties for the pursuing, hunting or killing of such animals or birds in such preserve," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 328, by Larse, entitled, "An Act to regulate the use of artesian wells, to prevent the waste of water flowing

therefrom, and defining waste as used for the purpose of this Act and to provide penalties for the violation of this Act," report same back to the House with the recommendation that same be amended as follows, to-wit:

Amend Section 1, line 3, by striking out the word "artificial" and inserting in lieu thereof the word "natural."

Amend Section 1, line 4, by striking out the word "minerals" and inserting in lieu thereof the word "mining."

Amend Section 4, line 24, by inserting after the word "fish" the following, "or for supplying water for livestock."

Amend Section 5, line 28, by striking out after the word "pipe" the words "without pressure," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 37, by Demel, entitled, "An Act to amend Section 7724 of the Revised Codes of Montana, and providing for the payment of an inheritance tax upon real property, as well as personal property, when the same passes to direct heirs," report same back with the recommendation that Section 1 thereof be amended by adding after the word "her" the following: "father, mother, husband, wife"; by inserting between lines 38 and 39 of the printed Bill the following: "Provided, however, that none of the provisions of this Act shall apply to or impose a tax upon any gift, devise, or bequest made for any purpose or in any manner to the State of Montana, or to any political subdivision thereof, or to any of the public institutions of the State of Montana, educational or otherwise, or any department or departments thereof," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 392, by Cotter, entitled, "An Act to provide for the creation of trespass districts on certain lanes and highways, and to prohibit livestock from running at large therein, and fixing the penalty therefor, and defining the boundaries thereof, and repealing all Acts and parts of Acts in conflict herewith," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 222, by Holt, entitled, "An Act to regulate the use of the term 'co-operative,' 'co-operation,' 'co-operator' or 'farmer' when used as part of a corporated business name or title," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 223, by Husser, entitled, "An Act to create a child welfare division to be under the direct supervision of the State Board of Health, prescribing its duties and powers and providing for its maintenance," report same back with the recommendation that same be amended, as follows, to-wit:

Amend Section 3, line 6, by striking out the words "are hereby authorized to," and inserting the word "may"; by inserting after the word "employ" in line 6, the words "in their discretion."

Amend Section 5 by striking out in line 15 after the word "shall" the words "become law and the" and in line 16, after the word "health" the words "is hereby invested," and inserting after the word "shall" in line 15 the words "invest the said."

Strike out Section 7 and number the following Sections accordingly; and that, as amended, same do pass.

Johnson: I move the adoption of the report.

Rasmussen: As a substitute, I move that the report be adopted with the exception of H. B. No. 207; that Bill to be segregated and re-referred to General Orders.

Substitute motion carried.

On motion of Lemmon, House recessed until 1:30 P. M.

#### AFTERNOON SESSION.

House reassembled at 1:30 P. M.

Mr. Speaker in the Chair.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 72, beg leave to report same back as correctly re-engrossed.

Report adopted.



Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 320, 263, 399, 318, 291, 268, 335, 280 and 379, beg leave to report same back correctly printed.

Report adopted.

On motion of Blake, House reverted to Fifth Order of Business.

### INTRODUCTION AND SECOND READING OF BILLS.

Ironside and Kehoe were granted unanimous consent to introduce Bills without previous notice.

H. B. No. 439, introduced by Blake: A Bill for an Act entitled, "An Act to authorize the State Auditor to employ a warrant clerk, and fixing his salary." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 440, introduced by Ironside: A Bill for an Act entitled, "An Act providing for the regulation of the sale of eggs; providing for the classification, labeling and marketing of the same and providing penalties for the violation of the provisions of this Act." Read first and second time and referred to Committee on Sanitary Affairs.

H. B. No. 441, introduced by Kehoe: A Bill for an Act entitled, "An Act to provide for the support of the government of the State of Montana for the years of 1917 and 1918." Read first and second time at length and referred to Committee on Appropriations.

No objection being offered, House reverted to Fourth Order of Business.

### REPORTS OF STANDING COMMITTEES.

Andrew, from the Committee on Affairs of Cities, reported as follows:

Mr. Speaker: Your Committee on Affairs of Cities, to whom was referred House Bill No. 427, beg leave to report as follows: That House Bill No. 427, introduced by Ironside, a Bill for an Act entitled, "An Act to prohibit the use of running boards on street cars and to punish violation of this Act," do not pass.

Report adopted.

Husser, from the Committee on Sanitary Affairs, reported as follows:

Mr. Speaker: We, your Committee on Sanitary Affairs, having had under consideration House Bill No. 428, introduced by Ironside, a Bill for an Act entitled, "An Act providing for the inspection of barber shops and hairdressing parlors by the State Board of Health and its inspectors; empowering said Board to make rules and regulations for the conduct of said places of business that the same may be kept sanitary and thus prevent the spread of diseases among their patrons; to provide penalties for those who violate said rules and regulations and to provide for the collection and expenditure of inspection fees," recommend that the same do pass.

Report adopted and Bill referred to Printing Committee.

Morris, from the Committee on Livestock and Public Ranges, reported as follows:

Mr. Speaker: We, your Committee on Livestock and Public Ranges, having had under consideration House Bill No. 355, introduced by Larse, a Bill for an Act entitled, "An Act to provide for the payment of grazing license fee on sheep entering the State of Montana from other States or Territories and providing a penalty for the violation thereof," respectfully beg leave to report as follows: That it is recommended that this Bill do pass, as amended.

Report adopted and Bill referred to Printing Committee.

Weil, from the Committee on Privileges and Elections, reported as follows:

Mr. Speaker: We, your Committee on Privileges and Elections, having had under consideration Senate Bill No. 171, a Bill for an Act entitled, "An Act to amend Section 637 of the Revised Codes of the State of Montana of 1907 as amended by Section 1 of Chapter 126 of the Session Laws of 1915, relating to the election and appointment of United States Senators in Congress," respectfully beg leave to report as follows: That Senate Bill No. 171 be recommended back favorably to the House.

Report adopted and Bill referred to Printing Committee.

Davis, from the Committee on Agriculture, reported as follows:

Mr. Speaker: We, your Committee on Agriculture, having had under consideration House Bill No. 347, a Bill for an Act entitled, "An Act providing for the destruction of Canada thistles, Scotch bull thistles and Russian thistles; prescribing the duties of road supervisors in relation to the same; providing the manner in which the expenses of such destruction shall be paid, and repealing Sections 8871, 8872, 8873 and 8874 of the Revised Codes of 1907," respectfully beg leave to report as follows: That same do not pass.

Report adopted.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 426, being a Bill for an Act entitled, "An Act to appropriate money for the payment of certain warrants held by Geo. F. Benninghoff," after having said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Ironside, from the Committee on State Boards and Officers, reported as follows:

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 363, introduced by Stimpert, a Bill for an Act entitled, "An Act relating to the survey or re-survey of lands within the State of Montana, in which the United States land surveys are involved and providing the manner of marking the same, the making of corners, and the making and filing of plats and field notes of such surveys or re-surveys," report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

On motion of Rasmussen, House reverted to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

Rasmussen: I move that H. B. No. 207 be taken from General Orders until action has been had on S. B. No. 167.

McMahon: I move that motion of Rasmussen be laid upon the table.

Motion to lay on table carried by standing vote of 35 to 32.

Eliel: I move that H. B. No. 263 be taken from General Orders and referred to Committee on Agriculture.

Motion carried.

### THIRD READING OF HOUSE BILLS.

H. B. No. 150, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Baldwin, Ball, Baxter, Bernard, Blake, Blodgett, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huf-faker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—84.

Noes: None.

Absent and not voting: Andersen (Charles), Andrew, Ashby, Belden, Bent, Booth, Crismas, Farmer, Hurd, Mason; Mr. Speaker present but not voting—11.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 276, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Baldwin, Ball, Bernard, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Cotter, Crowley, Cutts, Davis, Deibel, Dodds, Eaton, Eliel, Fishbaugh, Fuller, Gould, Crismas, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Hen-

derson, Henry, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Phelps, Prosser, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Weil, White, Working—71.

Noes: Carll, Clark, Demel, Duffy, Page, Quaintance, Rainey, Rasmussen, Shaw, Ward, Wheat—11.

Absent and not voting: Andersen (Charles), Andrew, Ashby, Baxter, Belden, Bent, Blake, Blodgett, Booth, Farmer, Hurd, Mason; Mr. Speaker present but not voting—13.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 126, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Baldwin, Ball, Baxter, Bent, Bernard, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—82.

Noes: None.

Absent and not voting: Andersen (Charles), Andrew, Ashby, Belden, Blake, Blodgett, Booth, Crismas, Cutts, Farmer, Hurd, Mason; Mr. Speaker present but not voting—13.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 396, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Ball, Baxter, Bent, Bernard, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—77.

Noes: Gould, Sektnan—2.

Absent and not voting: Anderson (Charles), Andrew, Ashby, Baldwin, Belden, Blake, Blodgett, Booth, Crismas, Crowley, Cutts, Farmer, Hurd, Mason, Rasmussen; Mr. Speaker present but not voting—16.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 395, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Ball, Baxter, Bent, Bernard, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Davis, Deibel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—77.

Noes: None.

Absent and not voting: Andersen (Charles), Andrew, Ashby, Baldwin, Belden, Blake, Blodgett, Booth, Crismas, Cutts, Demel, Farmer, Hurd, Husser, Kehoe, McDonald, Mason; Mr. Speaker present but not voting—18.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 392, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Ball, Baxter, Bent, Bernard, Blake, Blodgett, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Holt, Husser, Ingalls, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, McDonald, McMillan, Mason, Middleton, Morrow, Murray, O'Brien, Phelps, Sand, Scott, Sektnan, Spain, Stimpert, White—57.

Noes: Arneson, Brooks, Buell of Missoula, Gould, Henderson, Higgins, Huffaker, Jones, Lanstrum, Lusk, McClory, McMahon, McQuarrie, Morris, Page, Prosser, Quaintance, Rainey, Rasmussen, Searles, Shaw, Ward, Weil, Wheat, Working—25.

Absent and not voting: Andersen (Charles), Andrew, Ashby, Baldwin, Belden, Booth, Cutts, Deibel, Farmer, Hurd, Ironside, Johnston of Ravalli; Mr. Speaker present but not voting—13.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 222, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Ward, Weil, Wheat, White, Working—81.

Noes: Clark—1.

Absent and not voting: Andersen (Charles), Andrew, Ashby, Baldwin, Belden, Booth, Deibel, Farmer, Hurd, Mason, Spain, Stimpert; Mr. Speaker present but not voting—13.

Title agreed to and Bill transmitted to Senate for concurrence.

Husser: I move that H. B. No. 223 be considered correctly engrossed and placed on Third Reading.

Motion carried.

H. B. No. 223, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Ashby, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Brooks, Buell of Gallatin, Buchanan, Burnworth, Clark, Cotter, Cutts, Demel, Dodds, Eaton, Eliel, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henry, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McMahon, McMillan, Middleton, Morris, Morrow, Murray, O'Brien, Page, Rainey, Scott, Searles, Shaw, Weil, Wheat, White, Working—57.

Noes: Buell of Missoula, Connolly, Crismas, Duffy, Higgins, Johnston of Ravalli, Lusk, McDonald, McQuarrie, Mason, Phelps, Quaintance, Rasmussen, Sand, Sektnan—15.

Absent and not voting: Andersen (Charles), Andrew, Baldwin, Belden, Booth, Carll, Crowley, Davis, Deibel, Farmer, Fishbaugh, Fuller, Griffin, Hawks, Henderson, Holt, Hurd, McClory, Prosser, Spain, Stimpert, Ward; Mr. Speaker present but not voting—23.

Title agreed to and Bill transmitted to Senate for concurrence.

Demel: I move that H. B. No. 37 be considered correctly engrossed and placed on Third Reading.

Motion carried.

H. B. No. 37, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Ashby, Ball, Baxter, Bernard, Blake, Blod-



gett, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Phelps, Prosser, Quaintance, Rainey, Rasmusen, Scott, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, Wheat, Working—75.

Noes: None.

Absent and not voting: Andersen (Charles), Andrew, Arneson, Baldwin, Belden, Bent, Booth, Cotter, Farmer, Fuller, Grimes, Holt, Ironside, Johnston of Ravalli, McMahon, O'Brien, Sand, Spain, White; Mr. Speaker present but not voting—20.

Title agreed to and Bill transmitted to Senate for concurrence.

Stimpert: I move that the House now resolve itself into a Committee of the Whole for the consideration of General Orders and that debate be limited to ten minutes upon any one Bill.

Motion carried.

### GENERAL ORDERS.

Lusk in the Chair.

House resumed.

Mr. Speaker in the Chair.

Lusk, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 385, by Holt, entitled, "An Act to amend Section 4215 of the Revised Codes of Montana of 1907, to be entitled By-Laws and Board of Directors, and to amend Section 4220 of the Revised Codes of Montana of 1907," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 203, by Crowley, entitled, "An Act relating to and providing for the inspection of dairies and the regulation of same, devolving upon the State Livestock Sanitary Board the duties of the State Dairy Commissioner and his deputies, providing for the performance of the duties of said State Dairy Commissioner and his deputies by said State Livestock Sanitary Board by inspectors to be appointed by it, and abolishing the office of State Dairy Commissioner and Deputy Dairy Commissioners, and repealing laws in conflict herewith," report same back to the House with the recommendation that it be re-referred to General Orders.

Also, having had under consideration H. B. No. 165, by Higgins, entitled, "An Act relating to the practice of pharmacy in the State of Montana and authorizing the registration as assistant registered pharmacists or as registered pharmacists by the State Board of Pharmacy of the State of Montana of persons who present diplomas of graduation from the school of pharmacy of the University of Montana and pay the regular fees for such registration," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 298, by White, entitled, "An Act appropriating money to pay a judgment obtained against the State of Montana by William B. Pomeroy, together with the interest thereon, which judgment was entered in the District Court of Lewis and Clark County on the 12th day of September, 1913, and affirmed by the Supreme Court of the State of Montana on June 12, 1915," report same back to the House with the recommendation that Section 1 thereof be amended by striking out in lines 1 and 2 the words and figures "Fourteen thousand seven hundred eighty-three and 73/100 dollars (\$14,783.73)" and inserting in lieu thereof the words and figures "Sixteen thousand seven hundred thirty-five and 18/100 dollars (\$16,735.18)," and that, as amended, same do pass.

Also, having had under consideration H. B. No. 360, by Booth, entitled, "An Act to amend Section 6388 of Part I, Title V, of the Revised Codes of Montana of 1907, relating to practicing law without a license and prescribing a penalty therefor," report same back to the House with the recommendation that it be re-referred to General Orders.

Also, having had under consideration H. B. No. 383, by Hathaway, entitled,

"An Act to amend Chapter XVI of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, by adding thereto Section 1608, providing fire escapes for all school buildings of more than one story in height," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 320, by Harmon, entitled, "An Act to create a permanent fund to be known as the anti-hog cholera serum fund, appropriating money from the general fund for the use of such fund, and prescribing the purpose for which said fund shall be used," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 399, by Joint Sanitary Committee, entitled, "An Act to amend Section 6, Chapter 120, of Laws of the Thirteenth Legislative Assembly of the State of Montana, entitled, 'An Act to create the State Board of Entomology, to define its powers and duties and appropriate money therefor,'" report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 207, by Weil, entitled, "An Act amending Chapter 78 of the Session Laws of the Thirteenth Legislative Assembly, entitled, 'An Act to establish a Montana State Highway Commission, defining its duties and powers and providing for its compensation, providing for a State Highway Commission Fund, and appropriating money therefor, amending Sections 1, 2, 3, 4, 5, 7, 11 and 12, and repealing Sections 6, 8, 9 and 10,'" report same back with the recommendation that it do not pass.

Also, having had under consideration H. B. No. 359, by Huffaker, entitled, "An Act to amend Chapter 123 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, 'An Act empowering County Commissioners to create and establish special improvement districts in thickly populated localities outside the limits of incorporated towns and cities, for the purpose of constructing sanitary and storm sewers, installing lights and such other special improvements that may be petitioned for by sixty per cent (60%) of the freeholders affected by the same; and authorizing such freeholders to hold a public meeting and elect three supervisors to such improvement district, which said supervisors shall select a clerk to keep their records and said supervisors to have full charge of such improvement districts,'" report same back with the recommendation that it be re-referred to General Orders.

Also, having had under consideration H. B. No. 179, by Belden, entitled, "An Act to establish a State Normal School at Lewistown, Montana, which shall be known as the Central Montana State Normal School, to make the same a part of the University and providing for its regulation, location and control; making appropriation for its equipment and maintenance and to provide for the necessary buildings for the same, and amending Sub-Section (1) of Section 106 and Sub-Section (2) Subdivision (b) 1 of Section 108 of Chapter 76 of the Laws of the Thirteenth Session of Montana," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 318, by Wheat, entitled, "An Act to appropriate fifteen hundred dollars to erect a monument marking the site of the discovery of gold in Alder Gulch, Madison County, to commemorate that event and the discoverers," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 291, by Eaton, entitled, "An Act to amend Section 201 of Chapter Two of Chapter 76 of the Session Laws of 1913 of the State of Montana, relating to the official staff of the Superintendent of Public Instruction by changing the name of rural school inspector to rural school supervisor and to provide for two rural school supervisors," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 268, by Prosser, entitled, "An Act to provide for the licensing of peddlers, hawkers, itinerant merchants and persons who travel from house to house carrying for sale, offering for sale, exposing for sale or soliciting orders by sample or catalogue for any goods, wares or merchandise, classifying the same, providing for application for, and a deposit of money in addition to, license fee, and prescribing length of time same shall remain and be a deposit; providing that deposit shall be liable to attachment and execu-

tion by creditors or licensees; prescribing penalty for violation of act; fixing amount to be paid for license; providing for collection of same; prescribing duties of County Treasurers with reference thereto; exempting peddlers of farm and agricultural products; and repealing conflicting acts," report same back with the recommendation that it do not pass.

Lusk: I move the adoption of the report.

Prosser: I move that H. B. No. 268 be segregated from the report and that the report of the Committee be adopted as segregated.

Motion carried.

Lusk: I move that H. B. No. 268 be re-referred to General Orders.

Motion carried.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 72, introduced by Bernard, beg leave to report same back as correctly enrolled. Report adopted.

Connolly, from the Committee on Engrossing, reported as follows:

Mr. Speaker: We, your Committee on Engrossing, to whom was referred House Bill No. 328, introduced by Larse, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on Third Reading.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bill has been delivered to His Excellency, the Governor: February 19, 1917, at 4:40 P. M., House Bill No. 38.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bill No. 400, which is a substitute for House Bills 100 and 46; also 374, 358, 229, 381, 394, 249, 281, beg leave to report same back correctly printed.

Report adopted.

Mr. Speaker notified the House that he was about to sign H. B. No. 72, and signed same in the presence of the House.

On motion of Lanstrum, House adjourned until 10:30 A. M., Tuesday, February 20, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## FIFTY-FIRST DAY

Tuesday, February 20, 1917.

House met at 10:30 A. M., pursuant to adjournment.

Speaker pro tem in the Chair.

Prayer by Chaplain.

Roll called. All members present.

Ironsides, from the Committee on Journal, reported as follows:

Mr. Speaker: We, your Committee on Journal, beg leave to report that we have examined the Journal of the fiftieth day and find the same to be correct.

Report adopted.

### REPORTS OF STANDING COMMITTEES.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, having had under consideration H. B. No. 439, introduced by Blake, being a Bill for an Act entitled, "An Act to authorize the State Auditor to employ a warrant clerk and fixing his salary," beg leave to report back to the House with the recommendation that the Bill do pass.

Report adopted and Bill referred to Printing Committee.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, having had under

consideration H. B. No. 302, beg leave to report as follows: Amend said Bill by striking out in line 3 of Section 3 the figures "\$6000" and inserting in lieu thereof the figures "\$600.00," and as amended that it do pass.

Report adopted and Bill referred to Printing Committee.

Rainey, from the Committee on Irrigation and Water Rights, reported as follows:

Mr. Speaker: We, your Committee on Irrigation and Water Rights, having had under consideration Senate Bill No. 108, being a Bill for an Act entitled, "An Act to amend and re-enact Sections 1, 4, 11, 30, 35 and 48 of Chapter 146 of the Montana Session Laws, 1915, relating to the creation, organization, government and change in the areas of irrigation districts," beg leave to report that the same be concurred in.

Report adopted and Bill placed on General Orders.

Davis, from the Committee on Agriculture, reported as follows:

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 91, a Bill for an Act providing for the safe investment of the State permanent common school funds and all other permanent State educational, charitable and penal institution funds in the securities herein designated; for the prompt collection of interest thereon; providing a method of procedure in making said investments to guard and protect such funds; and prescribing the duties and obligations of the various officers of the State in making said investments and repealing all laws and parts of laws in conflict herewith, respectfully beg leave to report back that same be concurred in.

Report adopted and Bill placed on General Orders.

Charles Anderson, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration Substitute for H. B. No. 190, a Bill for an Act entitled, "An Act to amend Section 502 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, providing how candidates for the office of trustee of school district may be nominated," respectfully beg leave to report as follows: That the Bill do pass as amended.

Report adopted and Bill referred to Sifting Committee.

Ironsides, from the Committee on State Boards and Officers, reported as follows:

Mr. Speaker: We, your Committee on State Boards and Officers, having had under consideration House Bill No. 149, introduced by Morris, a Bill for an Act entitled, "An Act to amend Section 5 of Chapter 67; Laws of the Thirteenth Legislative Assembly, and to make definite the number and personnel of the local executive board of the Northern Montana Agricultural and Manual Training School, and to define the powers of said local board," report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: Your Committee on Judiciary, to whom was referred House Bill No. 330, by Searles, a Bill for an Act entitled, "A Bill for an Act to provide for the segregation of common prostitutes and women of ill-fame within certain boundaries, and providing a penalty for not conforming thereto; and providing a penalty for taking any female thereto who is not a common prostitute or woman of ill-fame and providing a method of police control for such persons; and repealing Sections 8376, 8397, 8398 and Subdivisions 5 and 6 of Section 8828 of the Revised Codes of Montana, 1907," respectfully beg leave to report as follows: That it be reported back to the House with the recommendation that it do not pass.

Mason: I move the adoption of the report.

Searles: As a substitute, I move that H. B. No. 330 be printed and placed on General Orders.

Substitute motion carried by vote of 37 to 33 and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 404, introduced by Kemmis, a Bill for an Act entitled,



"A Bill for an Act to amend Section 2001, Chapter 76, of the Session Laws of 1913, relating to amount of the common school levy," beg leave to report as follows: That it be reported back to the House with the recommendation that it be indefinitely postponed.

Mason: I move the adoption of the report.

Kemmis: As a substitute, I move that H. B. No. 404 be printed and placed on General Orders.

Substitute motion carried and Bill referred to Printing Committee.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bill has been delivered to His Excellency, the Governor: February 20, 1917, at 10:35 A. M., House Bill No. 72.

No objection being offered, Mr. Speaker reverted to First Order of Business.

### COMMUNICATIONS AND PETITIONS.

A communication was received from the Secretary of State, transmitting a concurrent resolution of the Senate and Assembly of the State of New York with regard to a convention between the United States and Great Britain for the protection of migratory birds.

### MOTIONS AND RESOLUTIONS.

Harmon: I move that report of the Committee on Appropriations on S. B. No. 155 be reconsidered and placed on General Orders.

Motion carried.

Eliel: I move that the Speaker appoint a Committee of three to confer with a like Committee of the Senate, for the purpose of presenting in a formal and firm way, the just claims and demands of this House respecting pending legislation, to the end that the House may establish an agreement whereby the further consideration of important measures may be secured.

Motion carried and Speaker pro tem appointed the following Committee: Eliel, Mason and Rainey.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day reported from Standing Committees with recommendations:

Committee on Finance and Claims reported S. B. No. 191 by Hurd and Oliver, S. B. No. 192 by Hurd and Oliver, S. B. No. 197 by Clark, S. B. No. 198 by Clark, S. B. No. 199 by Clark, with the recommendation that they do not pass.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, February 17, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Printing reported Senate Bills Nos. 200, 61, 94, 140 and 174 correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bill was this day reported from Standing Committee with recommendation:

Committee on Judiciary reported S. B. No. 122, with the recommendation that the same do pass as amended. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Sanitary Affairs reported H. B. No. 250, by Murray, with the recommendation that it be concurred in. Report adopted.

Also, H. B. No. 256, by Spain, with the recommendation that it be concurred in. Report adopted.

Also, H. B. No. 233, by Husser, with the recommendation that it be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Printing reported Senate Bills Nos. 189, 182, 173, 180, 176, 175, 178, 28, 17, 188, 195 and 186 correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Friday, February 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following House Bill:

H. B. No. 38, introduced by Jones.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day advised that he had approved the following Senate Bills:

S. B. No. 7, by Lane.

S. B. No. 29, by Oliver.

S. B. No. 32, by Oliver.

S. B. No. 63, by Dwight.

S. B. No. 104, by Galloway.

S. B. No. 114, by Slayton.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day advised that he had approved Senate Bill No. 73, being an Act providing for the appointment of a custodian for the State Capitol.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills, having this day been read three several times, and passed, titles agreed to, are herewith transmitted to your Honorable Body for concurrence:

S. B. No. 170, by Committee on Roads and Highways.

S. B. No. 105, by Hogan.

S. B. No. 169, by Committee on Banks and Banking.

S. B. No. 179, by Oliver.

S. B. No. 17, by O'Shea.

S. B. No. 28, by Meadors.

S. B. No. 173, by Mershon.

S. B. No. 175, by Clay.

S. B. No. 176, by Annin.

S. B. No. 178, by O'Shea.

S. B. No. 180, by O'Shea.

S. B. No. 182, by Clay.  
 S. B. No. 186, by Morris.  
 S. B. No. 188, by Roberts.  
 S. B. No. 189, by Roberts.  
 S. B. No. 195, by Williams.  
 S. B. No. 143, by Roberts.  
 S. J. M. No. 4, by Healy.  
 Sub. S. B. No. 98, by Meadors.  
 S. B. No. 122, by Fishbeck.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills, having been read three several times and passed, titles agreed to, are herewith transmitted to your Honorable Body for concurrence:

S. B. No. 200, introduced by Williams.  
 S. B. No. 140, introduced by Heren.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 19, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in House amendments to S. B. No. 45, introduced by Kinney, and on motion the President of the Senate appointed Senators Kinney, Morris and Roberts to act with a like Committee to be appointed by the Speaker to confer on House amendments to S. B. No. 45.

Respectfully,

J. F. CONE, Secretary of the Senate.

### THIRD READING OF HOUSE BILLS.

H. B. No. 328, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Davis, Deibel, Demel, Duff, Eaton, Eliel, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harmon, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Larse, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Middleton, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Scott, Sektnan, Spain, Stimpert, Weil, Wheat, Working—67.

Noes: Farmer, Gould, Kemmis, Morris, Rainey, Rasmussen—6.

Absent and not voting: Andrew, Blodgett, Cotter, Crismas, Crowley, Cutts, Dodds, Harbert, Hathaway, Holt, Husser, Jones, Lemmon, McDonald, Mason, Murray, Sand, Searles, Shaw, Ward, White, Mr. Speaker—22.

Title agreed to and Bill transmitted to Senate for concurrence.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 77, 310, 156, 94, 99, 415, 416, 354, 403, 289, 8, 169, 332, 303, S. B. Nos. 6, 344, 365, 311, 285, 119, 369, 278, 154, 322, 421, 390, 393, 277, beg leave to report same back correctly printed.

Report adopted.

On motion of Stimpert, House resolved itself into a Committee of the Whole for the consideration of General Orders.

### GENERAL ORDERS.

Ashby in the Chair.

House resumed.

Speaker pro tem in the Chair.

Ashby, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 268, by Prosser, entitled, "An Act to provide for the licensing of

peddlers, hawkers, itinerant merchants and persons who travel from house to house carrying for sale, offering for sale, exposing for sale or soliciting orders by sample or catalogue for any goods, wares or merchandise, classifying the same, providing for application for, and deposit of money in addition to, license fee, and prescribing length of time same shall remain and be a deposit; providing that deposit shall remain and be a deposit; providing that deposit shall be liable to attachment and execution by creditors of licensees; prescribing penalty for violation of Act; fixing amount to be paid for license; providing for collection of same; prescribing duties of county treasurers with reference thereto; exempting peddlers of farm and agricultural products; and repealing conflicting Acts," report same back with the recommendation that Section 3 be amended, by striking out Sub-Sections 3 and 4 and inserting in lieu thereof, in line 35, after the word "wagon" the words "or other conveyance"; also by inserting in lines 33 and 34 the following: "If the applicant is to travel on foot, carrying with him the goods, wares or merchandise to be sold, the sum of fifty (\$50.00) dollars," and that, as amended, same do pass.

Also, having had under consideration H. B. No. 335, by Holt, entitled, "An Act to amend Section One, Chapter 83, of the Session Laws of the Fourteenth Legislative Assembly, entitled, 'An Act permitting stockholders of co-operative associations to vote by mail and providing for the declaring of dividends and distribution of net earnings and extending the provisions of this Act to co-operative associations heretofore incorporated,'" report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 280, by Kelsey, entitled, "An Act providing for the regulation of construction and control of certain public utilities; requiring such public utilities to obtain certificates from the Public Service Commission of Montana before the commencement of construction of a public utility that the public convenience and necessity require or will require such construction and providing for exceptions," report same back with the recommendation that same be amended as follows, to-wit: Amend Section 1 by striking out in line 1 the word "municipality," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 379, by Arneson, entitled, "An Act to amend Section 4349 of the Revised Codes of the State of Montana, relating to passenger fares for traveling upon railway trains," report same back with the recommendation that it be re-referred to Committee on Railroads and Transportation.

Also, having had under consideration H. B. No. 203, by Crowley, entitled, "An Act relating to and providing for the inspection of dairies and the regulation of same, devolving upon the State Livestock Sanitary Board the duties of the State Dairy Commissioner and his deputies, providing for the performance of the duties of said State Dairy Commissioner and his deputies by said State Livestock Sanitary Board by inspectors to be appointed by it, and abolishing the office of State Dairy Commissioner and Deputy Dairy Commissioners, and repealing laws in conflict herewith," report same back to the House with the recommendation that the enacting clause be stricken from Bill.

Also, having had under consideration H. B. No. 359, by Huffaker, entitled, "An Act to amend Chapter 123 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, 'An Act empowering County Commissioners to create and establish special improvement districts in thickly populated localities outside the limits of incorporated towns and cities, for the purpose of constructing sanitary and storm sewers, installing lights and such other special improvements that may be petitioned for by sixty per cent (60%) of the freeholders affected by the same; and authorizing such freeholders to hold a public meeting and elect three supervisors to such improvement district, which said supervisors shall select a clerk to keep their records and said supervisors to have full charge of such improvement districts,'" report same back with the recommendation that Section 123 thereof be amended by inserting the following between the enacting clause and the word and figure "Section 1" of the printed Bill: "Section 1. That Chapter 123 of the Session Laws of the Fourteenth



Legislative Assembly be and the same is hereby amended to read as follows:" and that as amended, same do pass.

Report adopted.

On motion of McMahon, House reverted to Fourth Order of Business.

### REPORTS OF STANDING COMMITTEES.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 432, introduced by Committee on Appropriations, being a Bill for an Act entitled, "An Act appropriating money from the bounty fund for the payment of certain bounty claims which were disallowed by the State Board of Examiners owing to technical errors in the proof," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 291, 399, 318, 383, 385, 320, 179, 298, 165, beg leave to report same back as correctly engrossed.

Report adopted.

No objection being offered, Mr. Speaker reverted to Seventh Order of Business.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communication was received from the Senate:

Senate Chamber, Helena, Montana, February 20, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that no action was taken relative to the appointment of a Committee of three to act with a like Committee from the House respecting pending legislation and that the Senate now stands adjourned until ten thirty, Wednesday, February 21st, 1917.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of McMahon, House recessed until 2:00 P. M.

### AFTERNOON SESSION.

House reassembled at 2:00 P. M.

Speaker pro tem in the Chair.

Baxter: I move that a Committee of three be appointed to confer with a like Committee from the Senate on House amendments to S. B. No. 45.

Motion carried and Speaker pro tem appointed the following Committee: Baxter, Wheat, Morrow.

Husser: I move that a Committee of three be appointed to confer with a like Committee from the Senate on House amendments to S. B. No. 10.

Motion carried and Speaker pro tem appointed the following Committee: Husser, Carll, Johnson of Deer Lodge.

### THIRD READING OF HOUSE BILLS.

H. B. No. 298, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, Working—79.

Noes: Demel, Higgins, Lanstrum, Prosser—4.

Absent and not voting: Blodgett, Eliel, Griffin, Henry, Johnston of Ravalli, Jones, McDonald, McMillan, Ward, White, Speaker pro tem, Mr. Speaker—12.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 385, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Quaintance, Sand, Scott, Sektnan, Spain, Stimpert, Weil, Working, Speaker pro tem—73.

Noes: Anderson (Oscar W.), Gould, Morris, Page, Phelps, Prosser, Rainey, Rasmussen, Searles, Shaw, Wheat—11.

Absent and not voting: Arneson, Eliel, Griffin, Henry, Jones, McDonald, McMahon, McMillan, Ward, White, Mr. Speaker—11.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 383, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McQuarrie, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working, Speaker pro tem—85.

Noes: None.

Absent and not voting: Andrew, Bernard, Henry, Jones, McDonald, McMillan, Mason, Middleton, White, Mr. Speaker—10.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 318, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Ball, Baxter, Belden, Blake, Blodgett, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Deibel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Higgins, Husser, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Larse, Lemmon, Lewis, Lusk, McMahon, McQuarrie, Morris, O'Brien, Prosser, Quaintance, Searles, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working, Speaker pro tem—57.

Noes: Baldwin, Bent, Booth, Buell of Missoula, Cotter, Davis, Dodds, Griffin, Hawks, Henderson, Holt, Huffaker, Hurd, Jensen, Kemmis, Mason, Morrow, Page, Phelps, Rainey, Rasmussen, Sand, Scott, Sektnan—24.

Absent and not voting: Andrew, Bernard, Demel, Henry, Ingalls, Jones, Lanstrum, McClory, McDonald, McMillan, Middleton, Murray, White, Mr. Speaker—14.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 399, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Dodds, Duffy, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Higgins,

Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, Working—79.

Noes: Hawks, Page, Phelps, Quaintance—4.

Absent and not voting: Andrew, Belden, Bernard, Eaton, Henry, Jones, McDonald, McMillan, Shaw, White. Speaker pro tem. Mr. Speaker—12.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 320, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blake, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Working, Speaker pro tem—81.

Noes: None.

Absent and not voting: Andrew, Bernard, Blodgett, Buell of Gallatin, Henry, Jones, McDonald, McMahon, McMillan, McQuarrie, Shaw, Wheat, White, Mr. Speaker—14.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 291, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Working, Speaker pro tem—83.

Noes: Grimes, Hawks, McQuarrie, Phelps, Rainey—5.

Absent and not voting: Andrew, Bernard, Jones, McDonald, Wheat, White, Mr. Speaker—7.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 165, having been read three several times, was lost by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baxter, Belden, Blake, Blodgett, Booth, Buell of Missoula, Connolly, Cotter, Crismas, Crowley, Demel, Eaton, Eliel, Farmer, Fishbaugh, Gould, Grimes, Hathaway, Hawks, Henderson, Higgins, Jensen, Lemmon, Lusk, McQuarrie, Mason, Middleton, Page, Rasmussen, Searles, Sektnan, Spain, Weil, Working—37.

Noes: Ashby, Baldwin, Ball, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Dodds, Duffy, Fuller, Griffin, Harbert, Henry, Huffaker, Hurd, Husser, Ingalls, Ironside, Johnson of Deer Lodge, Kelsey, Kemmis, Larse, Lewis, McClory, McMahon, McMillan, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Shaw, Stimpert, Ward, Speaker pro tem—41.

Absent and not voting: Andrew, Bent, Bernard, Cutts, Davis, Deibel, Gullidge, Harmon, Holt, Johnston of Ravalli, Jones, Lanstrum, McDonald, Morris, Wheat, White, Mr. Speaker—17.

H. B. No. 179, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Prosser, Rasmussen, Sand, Scott, Searles, Spain, Stimpert, Ward, Weil, Working, Speaker pro tem—70.

Noes: Arneson, Clark, Demel, Dodds, Eliel, Gould, Hawks, Henderson, Henry, Higgins, Page, Phelps, Quaintance, Rainey, Sektan, Shaw, Wheat—17.

Absent and not voting: Deibel, Johnston of Ravalli, Jones, Lewis, McDonald, Morris, White, Mr. Speaker—8.

Title agreed to and Bill transmitted to Senate for concurrence.

Husser, rising to a question of personal privilege, moved that Rule No. 53 be suspended and that Rev. Pope be denied the further privileges of the floor of the House.

Kemmis: I move that motion of Husser be laid upon the table.

Motion lost and matter referred to Committee on Rules.

On motion of Murray, House resolved itself into a Committee of the Whole for the consideration of General Orders.

#### GENERAL ORDERS.

Page in the Chair.

House resumed.

Mr. Speaker in the Chair.

Page, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 381, by Joint Highways Committee, entitled, "An Act to provide for the registration and identification of motor vehicles and operators thereof, and providing for the regulation of all vehicles operating upon the public highways of the State and providing penalties for the violation of the provisions of this Act, and providing for the disposition of all funds collected thereunder, and repealing the provisions of Chapters 71 and 73 of the Laws of the Thirteenth Legislative Assembly and Chapter 65 of the Laws of the Fourteenth Legislative Assembly," report same back with the recommendation that same be amended as follows, to-wit:

Amend Section 1 by striking out in lines 16 and 17 the following: "his age, his experience in driving cars, whether or not he was ever convicted of a felony or of violating any provision of this Act"; and by striking out in lines 18 and 19 the following: "and shall also provide for a record of any conviction of said chauffeur for any offense as hereinafter provided";

Amend Section 3 by striking out in lines 42 and 43 the words "in the upper left hand corner" and inserting in lieu thereof the word "and";

Amend Section 4 by striking out in line 60 the word "five" and inserting in lieu thereof the word "four"; and by striking out in lines 88 and 89 the words and figures "one hundred (\$100.00) dollars," and inserting in lieu thereof the words "fifty (\$50.00) dollars"; and by striking out in line 89 the words and figures "twenty-five (\$25.00) dollars," and inserting in lieu thereof the words and figures "fifteen (\$15.00) dollars";

Amend Section 6 by inserting in lines 138 and 140 and 142 in parenthesis "(according to the S. A. E. formula)"; by striking out in line 143 the figures "\$10.00" and inserting in lieu thereof the figures "\$5.00"; by striking out in line 145 the figures "\$30.00" and inserting in lieu thereof the figures "\$25.00"; by striking out in line 144 the figures "\$20.00" and inserting the figures "\$15.00";

Amend Section 9 by striking out line 221 and balance of section.

Amend Section 10 by striking out line 231 and inserting in lieu thereof the words "or to any person who has ever been convicted of a felony";

Amend Section 11 by adding a new Sub-Section to be known as Sub-Section C of Section 11, as follows: "It is hereby made mandatory upon all peace and police officers of the State, of the counties of the State and of towns, cities and



villages, to carry out the provisions of this Act and arrest the drivers or owners of any motor vehicles being used or driven in violation of any of the provisions of this Act";

Amend Section 14 by striking out in line 327 the words "upon its passage and approval," and inserting in lieu thereof the words "April 1st, 1917," and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 237, by Charles Andersen, entitled, "An Act to amend Section 6551 of the Revised Codes of Montana of 1907, to-wit, of the Code of Civil Procedure, so as to provide for the pleading by any defendant of a cross-complaint against any of the other parties to the suit as well as new parties, for the issuance of summons thereon and the service of summons and cross-complaint, for pleading thereto, and against delays in connection therewith; and for other purposes," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 360, by Booth, entitled, "An Act to amend Section 6388 of Part I, Title V, of the Revised Codes of Montana of 1907, relating to practicing law without a license and prescribing a penalty therefor," report same back to the House with the recommendation that the enacting clause be stricken out.

Also, having had under consideration Sub. for H. B. Nos. 100 and 46, by Murray, Hathaway and Mason, entitled, "An Act relating to a mother's pension and for the care of dependent children in their own home by their mother, the father of said children being dead or an inmate of some Montana State institution or who has failed to provide for said children for a period of one year or more, or who is physically or mentally incapacitated or who has abandoned his family and such abandonment occurred while he was a resident of the State of Montana and has continued for more than one year, and whose mother is financially unable to support such children; providing a penalty for the violation thereof and repealing Sections 1, 2, 3, 4, 5, 6 and 7 of Chapter 86 of the Session Laws of the Fourteenth Legislative Assembly," report same back with the recommendation that it do pass as amended, as follows:

Amend Section 1, line 3, by inserting after the word "institution," the following: "except the Montana State prison";

Amend Section 1, line 3, by striking out after the word "institution," the words "or whose father has abandoned his family and such abandonment has continued for more than one year";

Amend Section 1, line 5, by striking out the words "or of abandonment";

Amend Section 1, line 6, by adding after the word "child" the words "or whose father is an inmate of the Montana State prison and has for a period of 90 days or more failed to provide for such child";

Amend title by striking out after the word "incapacitated" the words "or who has abandoned his family and such abandonment occurred while he was a resident of the State of Montana and has continued for more than one year."

Also, having had under consideration H. B. No. 374, by Ingalls, entitled, "An Act to establish a State Vocational School for Girls, prescribing its objects and purposes, providing for its location, site, buildings and improvements, maintenance and management, prescribing commitments thereto, appeals, commutations, paroles and discharges, laws for fugitives, aiding escapes and penalties therefor; providing for materials, supplies and appropriations for all of said purposes; also for empowering the State Board of Land Commissioners to sell or lease either land or buildings, or both, for the same," report same back with the recommendation that same be amended as follows, to-wit:

Amend Section 10 by striking out in line 68 after the word "receive" the word "for" and all of line 69 up to the word "actual";

Amend by adding a new section to be known as Section 29 and renumbering Sections 29 and 30 accordingly: "Provided that nothing in this Act shall prohibit the commitment of any delinquent girl by order of a court to any correctional institution under the control of private charity"; and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 358, by Scott, entitled, "An Act to amend Section 1291 of the Revised Codes of Montana, 1907, as amended by Chapter 93 of the Laws of the Thirteenth Legislative Assembly, relating to

the admission into the State Home of wives and widows of soldiers and sailors," report same back with the recommendation that it do pass.

\* Also, having had under consideration H. B. No. 229, by Gullidge, entitled, "An Act to amend Sections 800, 900, 903, 905, 906, 907, 908, 909 and 910, to repeal Section 108 and Subdivision 7 of Section 106 and to add a new Section to be known as Section 911, of Chapter 76, of the Session Laws of 1913, providing for the certification of public school teachers, and establishing the State Board of Educational Examiners, and establishing the teachers' certificate fund, and providing for the expenditure of the same," report same back to the House with the recommendation that it do pass.

Report adopted.

On motion of Mason, House reverted to Fourth Order of Business.

### REPORTS OF STANDING COMMITTEES.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 335, 359, 280, 238, beg leave to report same back as correctly engrossed.

Report adopted and Bills placed on Calendar for Third Reading.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: We, your Committee on Ways and Means, to whom was referred House Bill No. 345, introduced by Gould, entitled, "An Act to license certain corporations for the exclusive use and benefit of the State of Montana, fixing the license fee for engaging in business and providing a method of collecting such license fee, and repealing Section 2773 of the Revised Codes of the State of Montana of 1907, as amended by the Act approved March 1, 1911, entitled, 'An Act to amend Section 2773 of the Revised Codes of the State of Montana of 1907, and Sections 2774 and 2777 of the Revised Codes of Montana of 1907,'" report same back to the House with the recommendation that it do pass as amended, changing the per cent from one to three-fourths.

Kehoe: I move the adoption of the report.

Higgins: As a substitute, I move that the report of the Committee on H. B. No. 345 be rejected.

Substitute motion lost and report adopted.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, having had under consideration H. B. No. 300, introduced by Johnson of Deer Lodge, a Bill for an Act entitled, "An Act providing for the regulation of the business of using, operating and driving automobiles, auto stages, motor vehicles or motor busses for hire as common carriers on the public highways of the State; prescribing terms, conditions and restriction of the use of the same; providing for licenses to carry on such business and the regulation thereof; making the violation of any of the provisions of this Act a misdemeanor and providing a penalty therefor, and repealing all Acts or parts of Acts in conflict herewith insofar as the same may be in conflict," report same back to the House with the recommendation that it do not pass.

Report adopted.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, having had under consideration H. B. No. 357, introduced by Mason and Shaw, a Bill for an Act entitled, "An Act enumerating noxious weeds, providing for their summary destruction and the method whereby such destruction shall be accomplished; fixing the duties of the Board of County Commissioners, Road Supervisors, County Attorney, Auditor and Treasurer in that behalf; and repealing Sections 8871, 8872, 8873 and 8874 of Part I, Title XVI, of Chapter II of the Revised Codes of Montana, 1907," report the same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, having had under consideration H. B. No. 356, introduced by Phelps, a Bill for an Act entitled, "An Act

to provide for the destruction of noxious weeds, providing for the destruction of same by County Commissioners and arranging for the assessment of the cost of same against the land, also defining the duties of County Commissioners relative to the destruction of all weeds growing upon the highways in the County," report same back to the House with the recommendation that it do not pass.

Report adopted.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, having had under consideration H. B. No. 361, introduced by Hurd, a Bill for an Act entitled, "An Act to establish public highways along section lines and to provide for the opening and working of the same," report same back to the House with the recommendation that it do not pass.

Report adopted.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations, to whom was referred House Bill No. 435, being a Bill for an Act entitled, "An Act to regulate the use, appropriation, distribution, reclamation and measurement of public waters, and the construction and maintenance of ditches, canals and reservoirs, and the exercise of the right of eminent domain for the appropriation of water and construction of ditches, canals and reservoirs; to create the office of State Engineer, Assistant Engineer, Irrigation Engineers, Division Superintendent and Water Master; and to define their duties and fix their fees and compensation; to create a Board of Examiners and to define their duties and fix their compensation; to designate the water divisions of the State; to provide a method for determining the rights and priorities of claimants diverting, using, carrying or storing water for irrigation or other purposes, and providing for appeals therefrom; to provide for the issuance of permits to appropriate water; to require the owner of a ditch or canal to construct bridges; to punish parties interfering with the rights to use water, or trespassing upon ditches, canals, reservoirs, or irrigation works for the conveyance or storage of water; to make an appropriation to carry this Act into effect; and repealing all Acts and parts of Acts in conflict herewith," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass.

Report adopted.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 272, introduced by Mason, being a Bill for an Act entitled, "An Act providing for a Code Commissioner, the appointment of same, the date of said appointment and his term and oath of office; the division of the Codes and indexing of same, the matter to be included therein, the identification of the statutes, the powers and compensation of said Commissioner, the annotation and form of publication of said Codes, the contract for the printing of same, the bond of contractor, the disposition of said Revised Codes, and providing an appropriation for same," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass.

McMahon: I move the adoption of the report.

Mason: As a substitute, I move that H. B. No. 272 be placed on General Orders.

Motion carried and Bill referred to Printing Committee.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 436, introduced by Lemmon, being a Bill for an Act entitled, "An Act to amend Sections 140 and 141 of the Revised Codes of Montana, 1907, and providing for the compensation and duties of the private secretary to the Governor and the executive clerk," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass.

Report adopted.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 362, introduced by Harmon, being a Bill for an Act en-

titled, "An Act to amend Section 203 of the Session Laws of the Thirteenth Legislative Assembly, 1913, relating to the salary and expenses of the Superintendent of Public Instruction," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass.

Report adopted.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 441, introduced by Kehoe, being a Bill for an Act entitled, "An Act to provide for the support of the government of the State of Montana for the years of 1917 and 1918," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 431, introduced by Rainey, being a Bill for an Act entitled, "An Act to pay certain employes of the Senate and House as provided in Sections 76 and 81 of the Revised Codes of Montana of 1907," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Larse, from the Committee on Railroads and Transportation, reported as follows:

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 412, by Davis, a Bill for an Act entitled, "An Act to require or enforce the refund of excess passenger fares collected by railroads and common carriers in the State of Montana, and providing for the disposition of said funds for the benefit of the public school system of the State of Montana," respectfully beg leave to report as follows: That this Bill do not pass.

Report adopted.

Husser, from the Committee on Sanitary Affairs, reported as follows:

Mr. Speaker: We, your Committee on Sanitary Affairs, having had under consideration H. B. No. 440, by Ironside, a Bill for an Act entitled, "An Act providing for the regulation of the sale of eggs; providing for the classification, labelling and marking of the same and providing for penalties for violation of this Act," beg leave to report that we recommend the Bill be printed and placed on General Orders.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 419, by McClory, a Bill for an Act entitled, "An Act to amend Section 7331 of the Revised Codes of Montana, relating to eminent domain," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it do pass, as amended.

Amend Section 1 by adding the figure "1" after the word "Section" as it first appears.

On page 2, line 15, of the same, strike out the word "Section" each time it appears before the figures 6, 7, 8, 9, 10, 11, 12, 13, 14.

Strike out the figure "7," line 2, page 3, of the Bill and insert in lieu thereof the figure "2."

Also strike out the figure "8," line 4, and insert in lieu thereof the figure "3."

Report adopted and Bill referred to Printing Committee.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 317, 434, 319, 418, 355, 426, 388, 363, 224, 282, 389, 258, 334, 428, Sub. 375, 422, 413 and 293, beg leave to report same correctly printed.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 402, by Lewis, a Bill for an Act entitled, "An Act to consolidate



the office of Commissioner of Labor and Industry with that of the Department of Agriculture and Publicity, providing for the work of the Commissioner of Labor and Industry, providing for the employment of necessary assistants for the performing of such work, repealing all Acts in conflict herewith," respectfully beg leave to report as follows: That said Bill be reported back to the House with the recommendation that it be indefinitely postponed.

Mason: I move the adoption of the report.

Lusk: As a substitute I move that H. B. No. 402 be printed and placed on General Orders.

Motion carried and report of committee adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 387, by Eaton, a Bill for an Act entitled, "An Act to repeal Sections 1 and 2 of Chapter 77 of the Session Laws of the Thirteenth Legislative Assembly and to transfer the duties now devolving upon the office of the State Dairy Commissioner to the State Board of Health, and to the State College of Agriculture and Mechanic Arts, and making an appropriation for the additional educational dairy work transferred to the State College," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it do not pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 430, by Judiciary Committee, a Bill for an Act entitled, "An Act to amend Section 9151 of the Revised Codes of Montana of 1907, relating to joinder of offenses in same indictment or information," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 62, by McCone, entitled, "An Act to provide for the election of delegates and alternate delegates and committeemen of political parties by primary vote and to provide for nomination of candidates for public office and to repeal initiated Bill entitled, 'A Bill to propose by initiative petition a law to provide for party nominations by direct vote,' initiated and passed by the people of Montana at the general election of 1912; also to repeal initiated Bill entitled, 'A Bill to propose by initiative petition a law to provide for the expression by the people of the State of Montana of their preference for party candidates for President and Vice-President of the United States, the election of delegates to Presidential Conventions and nomination of Presidential Electors by direct vote by initiative,' passed by the people of Montana at the general election of 1912," beg leave to report as follows: That substitute for Senate Bill No. 62, herewith submitted, be reported back to the House with the recommendation that it be printed and re-referred to this Committee.

Mason: I move the adoption of the report.

Higgins: As a substitute, I move that House refuse to concur in S. B. No. 62 and that report of Committee on Substitute for S. B. No. 62 be not adopted.

Motion carried and report not adopted.

On motion of Lemmon, House adjourned until 10:00 A. M., Wednesday, February 21, 1917.

J. F. O'CONNOR, Speaker.  
C. H. TREACY, Chief Clerk.

## FIFTY-SECOND DAY

Wednesday, February 21, 1917.

House met at 10:00 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present; Anderson (Oscar W.) and Blake excused. Ironside, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Committee on Journal beg leave to report that they have examined the Journal of the fifty-first day and find the same to be correct. Report adopted.

## COMMUNICATIONS AND PETITIONS.

The following telegram was received from Herbert M. Peet, Secretary of the Farmers' Co-Operative Congress:

Great Falls, Montana, Feb. 20, 10:05 P. M.

Hon. J. F. O'Connor, State Capitol, Helena, Montana:

Please instruct clerk to read the following message to members of House of Representatives: Five hundred delegates from practically every agricultural county in Montana unanimously voted today to urge your honorable body to pass Senate Bill No. 90 unamended.

## READING OF SENATE BILLS.

S. B. No. 170, read first and second time and referred to Committee on Highways.

S. B. No. 105, read first and second time and referred to Committee on Judiciary.

S. B. No. 169, read first and second time and referred to Committee on Banks and Banking.

S. B. No. 179, read first and second time and referred to Committee on Education.

S. B. No. 17, read first and second time and referred to Committee on Judiciary.

S. B. No. 173, read first and second time and referred to Committee on Education.

S. B. No. 175, read first and second time and referred to Committee on Judiciary.

S. B. No. 180, read first and second time and referred to Committee on Judiciary.

S. B. No. 182, read first and second time and referred to Committee on Judiciary.

S. B. No. 186, read first and second time and referred to Committee on Judiciary.

S. B. No. 188, read first and second time and referred to Committee on Judiciary.

Sub. S. B. No. 189, read first and second time and referred to Committee on Education.

S. B. No. 176, read first and second time and referred to Committee on Judiciary.

S. B. No. 195, read first and second time and referred to Committee on Judiciary.

Sub. S. B. No. 98, read first and second time and referred to Committee on Federal Relations.

S. B. No. 143, read first and second time and referred to Committee on Education.

S. B. No. 200, read first and second time and referred to Committee on Judiciary.

S. B. No. 122, read first and second time and referred to Committee on Judiciary.

S. B. No. 140, read first and second time and referred to Committee on Judiciary.

S. J. M. No. 4, read first and second time and referred to Committee on Federal Relations.

S. B. No. 153, previously read first and second time and referred to Committee on Judiciary.

## INTRODUCTION AND SECOND READING OF BILLS.

McQuarrie was granted unanimous consent to introduce a Bill without previous notice.

H. B. No. 442, introduced by McQuarrie: A Bill for an Act entitled, "An Act authorizing, empowering and directing the State Board of Land Commissioners to grant, sell and convey State lands to counties, school districts and municipal corporations for public purposes." Read first and second time and referred to Committee on State Lands.

## MOTIONS AND RESOLUTIONS.

Crismas: I move that report of Committee of the Whole of yesterday morning be reconsidered.

On motion of Lusk, seconded by fifteen members, call of the House was ordered and the following members were found to be absent: Anderson (Oscar W.), Baxter, Bernard, Blake, Blodgett, Cotter, Crowley, Deibel, Eliel, Farmer, Harbert, Higgins, Holt, Lanstrum, McQuarrie, McDonald, Mason, Morris, Morrow, Quaintance, Wheat. The following members appeared upon the floor of the House: Crowley, Harbert, Higgins, Holt, Lanstrum, McDonald, Mason, Morris, Quaintance, and upon motion of Lusk, call of the House was suspended.

Lusk: I move that the motion of Crismas to reconsider the report of the Committee of the Whole of yesterday be laid upon the table.

Roll call demanded and motion lost by the following vote:

Ayes: Arneson, Bernard, Brooks, Buell of Missoula, Buchanan, Clark, Cotter, Eaton, Farmer, Fuller, Gullidge, Henderson, Henry, Higgins, Huffaker, Husser, Johnston of Ravalli, Kelsey, Kemmis, Lanstrum, Larse, Lusk, McMillan, McQuarrie, Quaintance, Sand, Scott, Sektnan—28.

Noes: Andersen (Charles), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blodgett, Booth, Buell of Gallatin, Burnworth, Carll, Connolly, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Fishbaugh, Griffin, Grimes, Harbert, Harmon, Hathaway, Hawks, Holt, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Lemmon, Lewis, McDonald, McMahon, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Rainey, Rasmussen, Searles, Shaw, Spain, Stimpert, Ward, Weil, White, Working—59.

Absent and not voting: Anderson (Oscar W.), Blake, Deibel, Eliel, Gould, McClory, Wheat: Mr. Speaker present but not voting—8.

Original motion carried.

Lusk: I move that the report of the Committee on H. B. No. 380 be reconsidered.

Roll call being demanded, resulted<sup>d</sup> in the following vote:

Ayes: Arneson, Baldwin, Baxter, Belden, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Cotter, Dodds, Eaton, Fuller, Griffin, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Jensen, Johnston of Ravalli, Kelsey, Lanstrum, Larse, Lewis, Lusk, McQuarrie, Middleton, Page, Phelps, Quaintance, Rasmussen, Sand, Scott, Sektnan, White, Working, Mr. Speaker—46.

Noes: Andersen (Charles), Andrew, Ashby, Ball, Bent, Blodgett, Carll, Connolly, Crismas, Crowley, Cutts, Davis, Demel, Duffy, Eliel, Farmer, Fishbaugh, Gould, Grimes, Hawks, Hurd, Husser, Ironside, Johnson of Deer Lodge, Kehoe, Kemmis, Lemmon, McDonald, McMahon, Mason, Morris, Morrow, Murray, O'Brien, Prosser, Rainey, Searles, Shaw, Spain, Stimpert, Ward, Weil, Wheat—43.

Absent and not voting: Anderson (Oscar W.), Blake, Deibel, Jones, McClory, McMillan—6.

Speaker ruled that motion was lost, as it did not carry by a two-thirds vote.

Lusk: I move that the vote by which the report of the Committee on H. B. No. 402 was adopted, be reconsidered.

Roll call demanded and motion lost by following vote:

Ayes: Arneson, Baldwin, Baxter, Belden, Bernard, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Dodds, Eaton, Fuller, Griffin, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Middleton, Page, Phelps, Quaintance, Rainey, Rasmussen, Sand, Scott—44.

Noes: Andersen (Charles), Andrew, Ashby, Ball, Bent, Booth, Brooks, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Duffy, Eliel, Farmer, Fishbaugh, Gould, Grimes, Hawks, Huffaker, Hurd, Husser, Ironside, Jensen, Jones, Kehoe, Lanstrum, Larse, Lemmon, Mason, Morris, Morrow, Murray, O'Brien, Prosser, Searles, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working—45.

Absent and not voting: Anderson (Oscar W.), Blake, McClory, Sektnan, White; Mr. Speaker present but not voting—6.

Crismas: I move that H. B. No. 203 be segregated from the report of the Committee of the Whole of yesterday morning.

Motion carried.

Crismas: I move that H. B. No. 203 be placed on General Orders.

Lusk: As a substitute, I move that H. B. No. 203 be re-referred to the Dairying Committee.

Substitute motion carried and Bill re-referred to Dairying Committee.

#### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE.

The following communication was received from His Excellency, the Governor:

Executive Office, February 20, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise you that I have this day approved the following House measures:

H. B. 38, an Act to require railway companies or corporations to report delayed trains.

H. B. 72, relating to the driving of spikes in saw logs intended for manufacture into lumber.

H. B. 128, an Act to prohibit livestock from running at large in any city or incorporated town.

S. V. STEWART, Governor.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 20, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day read first and second time and referred as follows:

H. B. No. 296, by Holt and Johnston, providing for the extermination of gophers. Referred to Committee on Judiciary.

H. B. No. 150, by Griffin, regulating the manner of sales of real estate. Referred to Committee on Judiciary.

H. B. No. 276, by Cotter, relating to benefit certificates of fraternal societies. Referred to Committee on Judiciary.

H. B. No. 126, by Jones, penalty for failure to keep record of stock killed. Referred to Committee on Railroads.

H. B. No. 396, by Committee on Highways, relating to public highways. Referred to Committee on Roads and Highways.

H. B. No. 395, by Anderson, establishing a game preserve in South Moccasin Mountains. Referred to Committee on Fish and Game.

H. B. No. 392, by Cotter, providing for trespass districts on certain lanes and highways. Referred to Committee on Fish and Game.

H. B. No. 222, by Holt, regulating use of the term "co-operative," etc., when



used as part of corporated business name or title. Referred to Committee on Agriculture.

H. B. No. 37, by Demel, providing for payment of inheritance tax upon real property. Referred to Committee on Judiciary.

H. B. No. 223, by Husser, child welfare division under the supervision of the State Board of Health. Referred to Committee on Towns and Counties.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 20, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following measure:

H. B. No. 72, introduced by Bernard.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 20, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day read first and second time and referred as follows:

H. B. No. 236, by Husser, an Act relating to sanitary conditions of bakeries, etc. Referred to Committee on Sanitary Affairs.

H. B. No. 264, by Judiciary Committee, an Act relating to the examination and admission of attorneys and counsellors at law to practice law, etc. Referred to Committee on Judiciary.

H. B. No. 131, by Dodds, an Act concerning the placement of homeless and dependent children. Referred to Committee on Judiciary.

H. B. No. 167, by Harmon, a Bill for the purpose of commemorating the explorations of the Lewis and Clark expedition. Referred to Committee on Finance and Claims.

H. B. No. 265, by Burnworth, an Act to alter boundaries between Rosebud and Yellowstone counties. Referred to Committee on Judiciary.

Sub. for H. B. No. 155, by White, Sektan, Holt and Bernard, an Act relating to the creation of herd districts. Referred to Committee on Stock Growing and Grazing.

H. B. No. 275, by Ashby, an Act creating a lien on motor vehicles for labor furnished, etc. Referred to Committee on Judiciary.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 20, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day read first and second time and referred as follows:

Sub. H. B. No. 204, by Johnston and Morrow, fixing the time of opening and closing of saloons. Referred to Committee on Public Morals.

H. B. No. 305, by Committee on Affairs of Cities, regulating common carriers. Referred to Committee on Counties and Towns.

H. B. No. 273, by McQuarrie, relating to the adulteration of linseed or flax-seed oil. Referred to Committee on Sanitary Affairs.

H. B. No. 312, by Committee on Appropriations, deficiency claim for services rendered. Referred to Committee on Finance and Claims.

H. B. No. 191, by McMahon, providing for inspection of boilers. Referred to Committee on Mines and Mining.

H. B. No. 140, by Cotter, creating Montana State Geological Survey. Referred to Committee on Mines and Mining.

H. B. No. 333, by Committee on Fairs and Expositions, relating to wagers. Referred to Committee on Fairs and Expositions.

H. B. No. 102, by Ward, relating to County Libraries. Referred to Committee on Education.

H. J. M. No. 8, by Anderson, authorizing the Northern Pacific to relinquish certain lands. Referred to Committee on Public Lands.

H. B. No. 339, by Page, regarding liquor dealer's license expiring on December 31, 1918. Referred to Committee on Judiciary.

H. B. No. 144, by White, creating a tax and license commission. Referred to Committee on Taxation.

H. B. No. 225, by Harmon, contracts of supplying basal and supplementary text books. Referred to Committee on Education.

H. B. No. 348, by Kemmis, making places where liquor is sold common nuisances. Referred to Committee on Public Morals.

H. B. No. 329, by Ball, providing for county athletic commissions. Referred to Committee on Counties and Towns.

Respectfully,

J. F. CONE, Secretary of the Senate.

Mr. Speaker appointed the following members to act on the Sifting Committee: White, McMahon, Mason, Crismas, Baxter, Belden, Cotter.

No objection being offered, House reverted to Seventh Order of Business.

### CONSIDERATION OF MESSAGES FROM THE GOVERNOR.

The following communication was received from His Excellency, the Governor:

Executive Office, February 21, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I am returning herewith House Bill No. 133, relative to the fees to be paid into the State Examiner's fund by incorporated cities and towns and school districts of the first and second class, without my approval and with my objections thereto.

This Bill is vetoed for the reason that under the present system of the examination of cities and towns it is found that the system is extremely unsatisfactory.

In the first place, as now conducted, the fees charged under the old law, which this Bill seeks to reduce, do not defray the entire expenses of the examinations. If the examinations are to be conducted they should be conducted at the expense of the cities and towns to be examined, and there is no justification, in my opinion, for reducing the fees to be collected.

I would suggest that there is yet time to remedy the most glaring defect in the law, which is sought to be amended. Cities of the third class and towns should only be subjected to examination upon application made by the city or town authorities. In other words, there should be a provision relative to cities of the third class and towns similar to the provision relative to school districts, so that the examinations need be made only upon application of local authorities.

Under present conditions in this State most of the towns have a very loose and inadequate system of bookkeeping and the limited amount of business transacted in the small municipalities will not justify the installation of an elaborate system. As long as they are satisfied and no one complains locally it is hardly the business of the State to interfere, but if the State provides examination facilities which are available to the cities or the municipalities upon a proper request the necessities of the occasion will be met.

In my opinion there is yet time to enact a Bill that will cover this situation, and thereby relieve the cities of the third class and towns from paying fees unless a certain percentage of the citizens or the legal authorities request the examination. For that reason I am vetoing House Bill No. 133, and returning the same to you for your appropriate action.

S. V. STEWART, Governor.

Roll call was demanded as to whether or not H. B. No. 133 should be passed over the Governor's veto, and resulted in the following vote:

Ayes: Arneson, Baxter, Buell of Missoula, Holt, Johnston of Ravalli, Kemmis, McQuarrie, Quaintance—8.

Noes: Andersen (Charles), Andrew, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon,

Lewis, Lusk, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Murray, Page, Phelps, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Mr. Speaker—78.

Absent and not voting: Anderson (Oscar W.), Blake, Connolly, Farmer, Henderson, McClory, McDonald, O'Brien, Working—9.

Governor's veto sustained.

### THIRD READING OF HOUSE BILLS.

H. B. No. 268, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Griffin, Grimes, Harbert, Hawks, Henderson, Holt, Huffaker, Hurd, Husser, Ironside, Jensen, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lusk, McDonald, McMillan, McQuarrie, Middleton, Morris, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Shaw, Stimpert, Weil, Wheat, White, Working—71.

Noes: Farmer, Gould, Harmon, Hathaway, Henry, Higgins, Ingalls, Johnson of Deer Lodge, Lemmon, Mason, Morrow, Spain—12.

Absent and not voting: Anderson (Oscar W.), Blake, Crowley, Cutts, Fishbaugh, Fuller, Lewis, McClory, McMahon, Sektan, Ward; Mr. Speaker present but not voting—12.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 280, having been read three several times, was passed by the following vote:

Ayes: Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Booth, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Davis, Demel, Duffy, Eliel, Farmer, Fuller, Gould, Griffin, Grimes, Harbert, Harmon, Hathaway, Henderson, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Kehoe, Kelsey, Larse, Lewis, Lusk, McDonald, McMahon, McMillan, Middleton, O'Brien, Sand, Sektan, Spain, Stimpert, Weil, Wheat—51.

Noes: Andersen (Charles), Baldwin, Buell of Missoula, Deibel, Dodds, Gullidge, Hawks, Henry, Higgins, Jensen, Johnson of Deer Lodge, Jones, Kemmis, Lanstrum, McQuarrie, Mason, Morris, Morrow, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Scott, Searles, Shaw, White, Working—29.

Absent and not voting: Anderson (Oscar W.), Blake, Blodgett, Brooks, Buell of Gallatin, Crismas, Cutts, Eaton, Fishbaugh, Johnston of Ravalli, Lemmon, McClory, Murray, Ward; Mr. Speaker present but not voting—15.

Title agreed to and Bill transmitted to Senate for concurrence.

Mr. Speaker notified the House that he was about to sign Senate Bills Nos. 33, 102, 64, 132, 139 and Substitute Senate Bill No. 56, and signed same in the presence of the House.

H. B. No. 359, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Crismas, Crowley, Cutts, Deibel, Duffy, Farmer, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kemmis, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, O'Brien, Page, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Spain, Stimpert, Ward, Weil, Wheat, Working—69.

Noes: Demel, Hathaway, Higgins, Morrow—4.

Absent and not voting: Anderson (Oscar W.), Andrew, Belden, Blake, Connolly, Cotter, Davis, Dodds, Eaton, Eliel, Fishbaugh, Ingalls, Johnston of Ravalli, Kelsey, Lanstrum, McClory, Murray, Phelps, Quaintance, Shaw, White; Mr. Speaker present but not voting—22.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 335, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Arneson, Baldwin, Ball, Belden, Bent, Bernard, Booth, Buchanan, Burnworth, Carl, Connolly, Crowley, Cutts, Davis, Demel, Eaton, Farmer, Fuller, Griffin, Harbert, Harmon, Hathaway, Hawks, Holt, Huffaker, Husser, Ironside, Jensen, Jones, Kehoe, Kemmis, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, Mason, Middleton, Morrow, O'Brien, Quaintance, Sand, Scott, Searles, Sektnan, Spain, Weil, Working—50.

Noes: Ashby, Brooks, Buell of Missoula, Buell of Gallatin, Crismas, Deibel, Duffy, Gould, Gullidge, Henry, Higgins, Hurd, Johnson of Deer Lodge, Kelsey, Lanstrum, Lusk, McQuarrie, Morris, Page, Prosser, Rainey, Rasmussen, Stimpert, Ward, Wheat—25.

Absent and not voting: Anderson (Oscar W.), Andrew, Baxter, Blake, Blodgett, Clark, Cotter, Crismas, Dodds, Eliel, Fishbaugh, Grimes, Henderson, Ingalls, Johnston of Ravalli, McClory, Murray, Phelps, Shaw, White; Mr. Speaker present but not voting—20.

Title agreed to and Bill transmitted to Senate for concurrence.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 205, 125, 352, 248, 286, 417, Sub. for 330, 419, Sub. for 199, 226, 404, 439 and 432, beg leave to report that we have this day received same back correctly printed.

Report adopted.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 358 and 400, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on Calendar for Third Reading.

On motion of Lemmon, House recessed at 12:15 until 2:00 P. M.

#### AFTERNOON SESSION.

House reassembled at 2:00 P. M.

Mr. Speaker in the Chair.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 229 and 374, beg leave to report same back as correctly engrossed.

Report adopted and Bills placed on Calendar for Third Reading.

Eliel: I move the reconsideration of the vote by which the report of the Committee on Judiciary on Substitute for S. B. No. 62 was rejected yesterday, February 20.

Motion carried.

Eliel: I now move that the report of the Judiciary Committee on Sub. S. B. No. 62 be adopted.

Motion carried.

Kelsey: I move that H. B. No. 435 be printed and placed on the desks of the members of the House and Senate.

Motion carried.

#### THIRD READING OF HOUSE BILLS.

H. B. No. 400, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Ball, Baxter, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Clark, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Ras-



mussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Weil, Wheat, White, Working—78.

Noes: Connolly, McMahon, Ward—3.

Absent and not voting: Anderson (Oscar W.), Andrew, Baldwin, Belden, Blake, Blodgett, Cotter, Crismas, Fishbaugh, McClory, McDonald, McMillan, Stimpert; Mr. Speaker present but not voting—14.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 358, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Weil, Wheat, White, Working—82.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Baldwin, Bent, Blake, Crismas, Eaton, Kemmis, McClory, McDonald, McMillan, Stimpert, Ward; Mr. Speaker present but not voting—13.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 229, having been read three several times, was passed by the following vote:

Ayes: Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Cutts, Davis, Deibel, Dodds, Duffy, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMahon, McQuarrie, Mason, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Ward, Weil, Wheat, White, Working—77.

Noes: Hurd—1.

Absent and not voting: Andersen (Charles), Anderson (Oscar W.), Baldwin, Blake, Crismas, Demel, Eaton, Farmer, Johnston of Ravalli, Kemmis, McClory, McDonald, McMillan, Middleton, Murray, Stimpert; Mr. Speaker present but not voting—17.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 374, having been read three several times, was passed by the following vote:

Ayes: Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Booth, Brooks, Buell of Gallatin, Burnworth, Carll, Cotter, Cutts, Davis, Dodds, Eliel, Gould, Griffin, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Hurd, Husser, Ingalls, Johnson of Deer Lodge, Lanstrum, Larse, Lemmon, Lewis, McQuarrie, Mason, Morrow, Phelps, Quaintance, Rasmussen, Sand, Scott, Sektan, Spain, Weil, White, Working, Mr. Speaker—49.

Noes: Andersen (Charles), Blodgett, Buell of Missoula, Buchanan, Clark, Connolly, Crowley, Deibel, Duffy, Farmer, Fishbaugh, Fuller, Grimes, Gullidge, Huffaker, Ironside, Jensen, Jones, Kehoe, Kelsey, Lusk, McMahon, Morris, O'Brien, Page, Prosser, Rainey, Searles, Shaw, Ward, Wheat—31.

Absent and not voting: Anderson (Oscar W.), Baldwin, Blake, Crismas, Demel, Eaton, Henderson, Johnston of Ravalli, Kemmis, McClory, McDonald, McMillan, Middleton, Murray, Stimpert—15.

Title agreed to and Bill transmitted to Senate for concurrence.

White, from the Sifting Committee, reported as follows:

Mr. Speaker: We, your Sifting Committee, having had under consideration the various measures before the House on General Orders, recommend that

the following Bills constitute General Orders for today: 415, 416, 272, 258, 224, 375, 277, 77, 434, 426.

Report adopted and Bills placed on General Orders.

On motion of Belden, House reverted to Fifth Order of Business.

#### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 443, introduced by Mason: A Bill for an Act entitled, "An Act providing for the appointment of women deputy sheriffs, and providing for compensation to be paid such deputy sheriffs and prescribing the powers and duties of such deputy sheriffs." Read first and second time and referred to Judiciary Committee.

H. B. No. 444, introduced by Lewis: A Bill for an Act entitled, "An Act to consolidate the office of Secretary of the State Fair with that of the office of Commissioner of Agriculture and Publicity, providing for the work of the Secretary of the State Fair being performed by the Commissioner of Agriculture and Publicity, providing for the employment of the necessary assistants for the performance of such work, and repealing all Acts in conflict herewith." Read first and second time and referred to Judiciary Committee.

Mason: I move that House resolve itself into a Committee of the Whole for the consideration of General Orders, and that debate be limited to ten minutes upon any one Bill.

Motion carried.

#### GENERAL ORDERS.

Belden in the Chair. House resumed.

Mr. Speaker in the Chair.

Belden, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 415, by Committee on Appropriations, entitled, "An Act providing for the payment of deficiency claims for the care of prisoners," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 416, by Committee on Appropriations, entitled, "An Act providing for the payment of deficiency claims for the care of the insane," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 272, by Mason, entitled, "An Act providing for a Code Commissioner, the appointment of same, the date of said appointment and his term and oath of office; the division of the Codes and indexing of same, the matter to be included therein, the identification of the statutes, the powers and compensation of said Commissioner, the annotation and form of publication of said Codes, the contract for the printing of same, the bond of contractor, the disposition of said Revised Codes and providing an appropriation for same," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 258, by Hathaway, entitled, "An Act relating to the admission, care and retention of feeble minded persons and also persons afflicted with epilepsy to the Montana School for the Deaf and Blind at Boulder, Montana; to provide for court procedure to commit persons thereto; to provide for the powers and duties of all officers connected therewith; to provide for the payment of certain expenses by the counties of the State; to make provision for the purchase of a farm in connection therewith; and to make appropriations to pay for the said farm and for building certain buildings, and defining the duties and powers of certain State Boards," report same back to the House with the recommendation that same be amended as follows, to-wit:

Amend title by striking therefrom all the words beginning with the words "to make" at the end of line seven and ending with the word "buildings" in line 10.

Strike out Section 2 of the printed Bill and renumber the remaining sections to conform to this amendment, and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 224, by Kehoe, entitled, "An Act to amend Section 3259 of the Revised Codes of the State of Montana of 1907, relating to the powers of city and town councils," report same back to the House with the recommendation that it do pass.

Also, having had under consideration Sub. for H. B. No. 375, by White, entitled, "An Act to amend Sections 1, 2, 3, 4 and 5 of Chapter 37 of the Session Laws of the Fourteenth Legislative Assembly entitled, 'An Act providing the fees to be paid by a foreign corporation for filing a certified copy of its charter or articles of incorporation in the office of the Secretary of State of Montana,'" report the same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 277, by Judiciary Committee, entitled, "An Act to amend Section 7891 of the Revised Codes of Montana of 1907, relating to witnesses, as amended by Chapter 66, Session Laws of 1909, and as amended by Chapter 41, Session Laws of 1913," report same back to the House with the recommendation that it do pass.

Also, having had under consideration Sub. for H. B. No. 77, by Holt, entitled, "An Act to regulate intrastate freight transportation by railroad companies doing business in the State of Montana," report same back to the House with the recommendation that the enacting clause be stricken out.

Also, having had under consideration H. B. No. 434, by Mason, Harbert and Rasmussen, entitled, "An Act to amend Sections two (2), eleven (11) and twenty (20) of the Act known as the direct primary law which was initiated and passed by the people of the State of Montana at the general election of November, 1912, said primary law being entitled as follows, 'A Bill to propose by initiative petition a law to provide for party nominations by direct vote,'" report same back to the House with the recommendation that same be amended as follows, to-wit:

Amend Section 1 by striking out all of line 1 in said section and inserting in lieu thereof the words "That Section 2 of the direct primary law initiated and passed by the people at the general election of November, 1912, be and the same is hereby amended so as to read as follows:"

Amend Section 2 by striking out all of line 23 in said section and inserting in lieu thereof the words "That Section 11 of the direct primary law initiated and passed by the people at the general election of November, 1912, be and the same is hereby amended so as to read as follows:"

Amend Section 3 by striking out all of line 46 in said section and inserting in lieu thereof the words "That Section 20 of the direct primary law initiated and passed by the people at the general election of November, 1912, be and the same is hereby amended so as to read as follows:" and that, as amended, same do pass.

Also, having had under consideration H. B. No. 426, by Committee on Appropriations, entitled, "An Act to appropriate money for the payment of certain warrants held by Geo. F. Benninghoff," report same back to the House with the recommendation that it do pass.

Belden: I move the adoption of the report.

Holt: As a substitute, I move that Sub. for H. B. No. 77 be segregated from the report of the Committee of the Whole.

Lusk: I move that motion to segregate be laid on the table.

Holt, seconded by fifteen members, requested a call of the House. Roll called and the following members were found to be absent: Anderson (Oscar W.), Andrew, Blake, Farmer, Fishbaugh, Higgins, Ironside, Kemmis, McClory, Phelps. The following members appeared upon the floor of the House: Andrew, Fishbaugh, Higgins, Ironside, Kemmis, and on motion of Lusk further call of the House was suspended.

Roll call being demanded upon motion to lay on the table resulted in the following vote:

Ayes: Ashby, Belden, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Crismas, Crowley, Deibel, Fuller, Gould, Grimes, Gullidge, Harmon, Henderson, Henry, Higgins, Huffaker, Jensen, Johnson of Deer Lodge, Kemmis, Lanstrum, Lemmon, Lusk, McDonald, McMillan, McQuarrie, Middleton, Morris, O'Brien, Prosser, Rainey, Rasmussen, Searles, Spain, Stimpert, Ward, Weil, Wheat, Working—45.

Noes: Andersen (Charles), Andrew, Arneson, Ball, Baxter, Blodgett, Carl, Clark, Cotter, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Griffin, Harbert, Hathaway, Hawks, Holt, Hurd, Husser, Ingalls, Ironside, Johnston of Ravalli, Kehoe, Kelsey, Larse, Lewis, McMahon, Mason, Morrow, Murray, Page, Quaintance, Sand, Scott, Sektnan, Shaw, White, Mr. Speaker—43.

Absent and not voting: Anderson (Oscar W.), Baldwin, Blake, Farmer, McClory, Jones, Phelps—7.

Motion carried and report of the Committee of the Whole adopted.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 381, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on Calendar for Third Reading.

McMahon, from the Committee on Rules, Joint Rules and Order of Business, reported as follows:

Mr. Speaker: We, your Committee on Rules, Joint Rules and Order of Business, having had under consideration the following motion by Husser, "In view of the arguments and evidence presented, I move that Rev. J. Pope be denied the privilege of the floor and that Rule 53 be suspended for that purpose, and that this suspension be referred to the Committee on Rules as prescribed under the provisions of Rule 50," beg leave to report and recommend that the Speaker of the House be authorized to name a Committee of three members of the House to which shall be referred the matter of the charges contained in the Anti-Saloon League Bulletin hereto attached.

McMahon: I move the adoption of the report.

Demel: I move that motion of McMahon be laid upon the table.

Roll call demanded and motion to lay on the table lost by the following vote:

Ayes: Andersen (Charles), Arneson, Bent, Booth, Buell of Gallatin, Buchanan, Burnworth, Carll, Deibel, Demel, Eaton, Griffin, Hathaway, Hawks, Holt, Ingalls, Johnston of Ravalli, Kehoe, Kemmis, Larse, Lemmon, Lewis, Middleton, Morrow, Phelps, Sand, Scott, Sektnan, Stimpert—29.

Noes: Andrew, Ashby, Ball, Baxter, Belden, Bernard, Blodgett, Brooks, Buell of Missoula, Clark, Connolly, Crowley, Cutts, Davis, Dodds, Duffy, Eliel, Fishbaugh, Fuller, Gould, Gullidge, Harmon, Henry, Higgins, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Kelsey, Lanstrum, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Morris, Murray, O'Brien, Page, Quaintance, Rainey, Rasmussen, Searles, Shaw, Spain, Ward, Weil, Wheat, White, Working—53.

Absent and not voting: Anderson (Oscar W.), Baldwin, Blake, Cotter, Crismas, Farmer, Grimes, Harbert, Henderson, Jones, McClory, Prosser; Mr. Speaker present but not voting—13.

Report of Committee on Rules adopted.

Mr. Speaker appointed the following Committee to investigate the matter of the charges contained in the Anti-Saloon League Bulletin: Kemmis, Ashby, Duffy.

Mason: I move that the Bills just considered on General Orders be considered correctly engrossed and placed on Third Reading.

Motion carried.

### THIRD READING OF HOUSE BILLS.

H. B. No. 381, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Clark, Connolly, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Searles, Sektnan, Shaw, Spain, Stimpert, Wheat, White, Working—77.

Noes: Burnworth, Phelps, Scott—3.

Absent and not voting: Anderson (Oscar W.), Baldwin, Blake, Cotter, Crismas, Davis, Eliel, Farmer, Henderson, Jones, McClory, Morris, Ward, Weil, Mr. Speaker—15.

Title agreed to and Bill transmitted to Senate for concurrence.



H. B. No. 415, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Connolly, Cotter, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Phelps, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Stimpert, Ward, Weil, Wheat, White, Working—78.

Noes: Burnworth—1.

Absent and not voting: Anderson (Oscar W.), Belden, Carll, Clark, Cutts, Deibel, Farmer, Fuller, Hurd, McClory, Morris, Prosser, Rainey, Shaw, Spain; Mr. Speaker present but not voting—16.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 416, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Clark, Connolly, Cotter, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White, Working, Speaker pro tem—77.

Noes: Burnworth—1.

Absent and not voting: Anderson (Oscar W.), Baxter, Belden, Blake, Blodgett, Carll, Crismas, Davis, Farmer, Gullidge, Henderson, Kemmis, McClory, Prosser, Rasmussen, Shaw, Mr. Speaker—17.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 272, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Ashby, Ball, Baxter, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Fuller, Griffin, Grimes, Harbert, Harmon, Hathaway, Hawks, Henry, Holt, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McMahon, McMillan, Mason, Middleton, Morrow, Murray, Quaintance, Searles, Shaw, Spain, Stimpert, Ward, Weil, Working—61.

Noes: Arneson, Buell of Missoula, Eliel, Gould, Gullidge, Higgins, Johnston of Ravalli, Jones, Lusk, McDonald, McQuarrie, Morris, O'Brien, Page, Phelps, Prosser, Rainey, Rasmussen, Scott, Wheat—20.

Absent and not voting: Anderson (Oscar W.), Baldwin, Blake, Crowley, Davis, Farmer, Fishbaugh, Henderson, Ingalls, McClory, Sand, Sektnan, White; Mr. Speaker present but not voting—14.

Title agreed to and Bill transmitted to the Senate for concurrence.

H. B. No. 258, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Ball, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page,

Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Shaw, Spain, Stimpert, Ward, Weil, Working—79.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Baldwin, Baxter, Belden, Blake, Connolly, Davis, Henderson, Jones, Kehoe, McClory, Phelps, Sektan, Wheat, White; Mr. Speaker present but not voting—16.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 224, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kemmis, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Shaw, Spain, Stimpert, Ward, Weil, Working—77.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Blake, Carll, Clark, Crowley, Cutts, Henderson, Ingalls, Jensen, Jones, Kelsey, Lanstrum, McClory, Morrow, Sektan, Wheat, White; Mr. Speaker present but not voting—18.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 375, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Ball, Baxter, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Cutts, Deibel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Shaw, Spain, Stimpert, Weil, Working—74.

Noes: Ironside—1.

Absent and not voting: Anderson (Oscar W.), Baldwin, Belden, Blake, Clark, Davis, Demel, Farmer, Henderson, Jones, Kelsey, Kemmis, McClory, O'Brien, Rasmussen, Sektan, Ward, Wheat, White; Mr. Speaker present but not voting—20.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 277, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Ball, Baxter, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henry, Higgins, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Shaw, Spain, Stimpert, Weil, Working—77.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Baldwin, Belden, Blake, Davis, Farmer, Hawks, Henderson, Holt, Hurd, Jones, Kelsey, McClory, Sektan, Ward, Wheat, White; Mr. Speaker present but not voting—18.

Title agreed to and Bill transmitted to Senate for concurrence.

Cutts: I move that H. B. No. 434 be laid upon the table.

Motion carried.

H. B. No. 426, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Ball, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working—76.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Arneson, Ashby, Baldwin, Baxter, Blake, Carll, Fuller, Gould, Henderson, Holt, Jones, Kelsey, Kemmis, McClory, Rasmussen, Sektnan, Wheat; Mr. Speaker present but not voting—19.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Searles, House reverted to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

Searles: I move that the Journal of the fiftieth day be corrected to show that Substitute for House Bill 330, instead of House Bill 330, was ordered printed and placed on General Orders. This, in conformity with the motion of myself, which was carried by a majority vote upon that day. The Speaker pro tem in putting the motion, inadvertently omitted the word "substitute" and the Journal of that day shows that the original Bill was ordered printed and placed on General Orders, instead of the substitute Bill. The substitute Bill is the Bill which has been printed and the motion is made in order that the Journal may be correct.

Motion carried.

Rainey: I move that H. B. No. 108, now in the hands of the Sifting Committee, be recalled and re-referred to the Committee on Irrigation and Water Rights.

Motion carried.

On motion of Cotter, House adjourned until 10:00 A. M., Thursday, February 22, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## FIFTY-THIRD DAY

Thursday, February 22, 1917.

House met at 10:00 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present. Sektnan excused.

Ironside, from the Committee on Journal, reported as follows:

Mr. Speaker: We, your Committee on Journal, beg leave to report that we have examined the Journal of the fifty-second day and find the same to be correct. Report adopted.

### COMMUNICATIONS AND PETITIONS.

Two petitions were received from citizens of Sheridan County, protesting against the creation of a new county out of the territory included in that county.

### REPORTS OF STANDING COMMITTEES.

Lemmon, from the Committee on Corporations Other Than Municipal, reported as follows:

Mr. Speaker: We, your Committee on Corporations Other Than Municipal, to whom was referred Senate Bill No. 178, introduced by O'Shea, being a Bill for

an Act entitled; "An Act relating to the liabilities, restrictions and duties of foreign corporations licensed to do business in the State of Montana," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

Lemmon, from the Committee on Corporations Other Than Municipal, reported as follows:

Mr. Speaker: We, your Committee on Corporations Other Than Municipal, having had under consideration House Bill No. 235, introduced by Sand, being a Bill for an Act entitled, "An Act to amend Section 4416 of the Revised Codes of the State of Montana, relating to the annual statement of foreign corporations and joint stock companies, and to amend Section 1 of Chapter 140 of the Laws of the Eleventh Legislative Assembly of the State of Montana," respectfully beg leave to report as follows: That we recommend that Bill do pass as amended.

Amend Section 1, page 2, after line 4, by adding a new subdivision marked Exhibit 4B, as follows, to-wit: "4B. The amount of its capital stock paid in, in any other way and in what."

Amend Section 1, page 2, line 13, by inserting after the word "annually," the words "which said sum shall be paid to the Secretary of State to be deposited in the general fund of the State."

Amend Section 1, page 1, line 10, by inserting after the word "filing" the words "and a duplicate of such statement shall be filed in the office of the County Clerk of the County wherein the business of said corporation is carried on."

Amend Section 2 so as to read as follows:

Section 2. That Section 1, Chapter 140, of the Laws of the Eleventh Legislative Assembly of the State of Montana be amended to read as follows:

"Section 1. Every domestic corporation, having a capital stock, except banks, trust companies and building and loan associations, shall, by March first of each year hereafter file in the office of the County Clerk and Recorder of the County in which the principal place of business of such corporation is situated, a report of the condition of said corporation on December 31st preceding which shall state the amount of the authorized capital stock, the proportion thereof actually paid in, and the amount thereof actually paid in in cash and the amount issued, if any, in payment of property purchased, services rendered or labor performed, and the amount of existing debts and also the names and addresses of the directors or trustees, and of the president, vice-president, general manager (if any), and Secretary and Treasurer of the corporation. Such report shall be signed by the president or vice-president and a majority of the directors and by the secretary or treasurer. The report shall be verified by the oath of the president, vice-president, secretary or treasurer of such corporation. If the directors or trustees of any corporation shall fail to file such report, the directors of the corporation shall jointly and severally be liable for all debts or judgments of the corporation then existing or which may thereafter be in any wise incurred until such report shall be made and filed; provided, however, that if within twenty days after such failure a director, or directors, shall make and file as aforesaid, an affidavit or affidavits stating that the failure was due to no fault or neglect of his or theirs, and stating, also that, after the 31st day of December of the preceding year and before said March 1st, he or they requested the president or a sufficient number of the other directors, whose residence was known to the affiants, to join them in making report, such director or directors shall not be liable under this section. If the required report be made and filed after the time herein specified, the directors shall not, on account of the prior failure to make report, be liable for the debts thereafter contracted. Where such corporation, on account of insolvency or for any other reason, has ceased to be a going concern and has ceased voluntarily to incur financial obligations, the directors may include a statement to that effect in their report, giving the reasons for cessation of the corporate activities of such corporation, and after two annual reports containing such statement have been filed, the directors shall not be liable for a failure to file annual reports during the time of such cessation of corporation activities."

Report adopted and Bill referred to Printing Committee.



Lemmon, from the Committee on Corporations Other Than Municipal, reported as follows:

Mr. Speaker: We, your Committee on Corporations Other Than Municipal, to whom was referred House Bill No. 343, introduced by McClory, being a Bill for an Act entitled, "An Act to provide for the construction of side tracks and spurs to elevators, warehouses, flouring mills, storage plants and to provide for the location upon the right of way of any railway company of any elevators, warehouses, flouring mills, storage buildings or manufacturing plants and to provide for the construction of side tracks between stations and fixing a penalty for the violation of the provisions of this Act, and repealing Section 7 of Chapter 43 of the Laws of the Thirteenth Legislative Assembly of the State of Montana," beg leave to report the following amendment, by striking out the words and figures "twenty (20)" and inserting in lieu thereof, the words and figures "sixty (60)," and as so amended, the Committee recommends the Bill do pass.

Report adopted and Bill referred to Printing Committee.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 170, introduced by Committee on Highways, a Bill for an Act entitled, "An Act to amend Chapters I, II, III and IV of Chapter 141 of the Laws of the Fourteenth Legislative Assembly, the same being known as the General Highway Law, relating to the classification and permanent improvement of public highways," report same back to the House with the recommendation that the same be concurred in.

Report adopted and Bill referred to General Orders.

Jensen, from the Committee on Highways, reported as follows:

Mr. Speaker: We, your Committee on Highways, having had under consideration Senate Bill No. 28, introduced by Meadors, a Bill for an Act entitled, "An Act to provide for the organization of special road districts in the several counties of the State, to provide for the election and appointment of directors, and other officers for special road districts, prescribing their duties and regulating the government thereof, and to provide for the levy of taxes in special road districts and special road district fund," report same back to the House with the recommendation that the same be concurred in.

Report adopted and Bill placed on General Orders.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 138, introduced by Annin, "A Bill for an Act to amend Section 2873, Revised Codes of 1907, relating to the classification of counties," beg leave to report back with the recommendation that the same be amended as follows: With reference to sixth class counties, after the word "than" strike out the word "six" and substitute the word "five." As amended, we recommend the Bill be concurred in.

Report adopted and Bill placed on General Orders.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 349, introduced by Gould, entitled, "An Act providing a method for the assessment and collection of a license fee on express companies doing business in this State," beg leave to report as follows: That the Bill be referred back to the House with the recommendation that it pass, amended as follows: Wherever five per cent (5%) may appear in the Bill it be changed to two and one-half (2½%) per cent. Amend by renumbering Sections 9 and 10 to be called Sections 10 and 11 and insert a new section to be known as Section 9, to read as follows: "Section 9. No other license or franchise tax shall be levied against any express company except the license tax provided by this Act."

Report adopted and Bill referred to Printing Committee.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 351, introduced by Gould, entitled, "An Act providing a method for the assessment and collection of a license fee on private car companies doing

business in this State," beg leave to report as follows: The Bill be referred back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 28, introduced by Percy F. Dodds, entitled, "An Act to impose a license tax upon every person, company and corporation engaged in mining metals in the State of Montana and to provide for the enforcement thereof," beg leave to report as follows: That the Bill be recommended back to the House with the recommendation that it be indefinitely postponed.

Report adopted.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 115, introduced by Blake, entitled, "An Act providing for the levy and collection of a tax to be known as the State Income Tax Law," beg leave to report as follows: That the Bill be recommended back to the House with the recommendation that it be indefinitely postponed.

Report adopted.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 110, introduced by Hathaway, entitled, "A Bill for an Act to submit to the qualified electors of the State of Montana an amendment to Section 1 of Article XII of the Constitution of the State of Montana, relating to revenue and taxation and providing for the imposition of taxes on incomes and privileges," beg leave to report as follows: That the Bill be recommended back to the House with the recommendation that it be indefinitely postponed.

Report adopted.

Page, from the Committee on State Lands, reported as follows:

Mr. Speaker: We, your Committee on State Lands, having had under consideration House Bill No. 442, introduced by McQuarrie, a Bill for an Act entitled, "An Act authorizing, empowering and directing the State Board of Land Commissioners to grant, sell and convey State lands to counties, school districts and municipal corporations for public purposes," report same back to the House with the recommendation that it do pass.

Report adopted and Bill referred to Printing Committee.

Larse, from the Committee on Railroads and Transportation, reported as follows:

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration Senate Bill No. 161, by Healy, "An Act providing for the punishment of persons guilty of a disturbance of the peace upon any railway train or car in the State of Montana, providing penalties for the violation thereof, and conferring police powers upon railway conductors," respectfully beg leave to report as follows: That this Bill, as amended, do pass.

Amend Section 2, line 2, after the word "company" by inserting the following words, "and he shall be furnished with an official badge by the proper authority, to be displayed when necessary."

Report adopted and Bill referred to Printing Committee.

Duffy, from the Committee on Federal Relations, reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 4, introduced by Healy, relating to game protection, respectfully beg leave to report as follows: That same be concurred in.

Report adopted and Memorial placed on General Orders.

Duffy, from the Committee on Federal Relations, reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Senate Joint Memorial No. 3, introduced by Edwards, respectfully beg leave to report as follows: That same be concurred in.

Report adopted and Memorial placed on General Orders.

Duffy, from the Committee on Federal Relations, reported as follows:

Mr. Speaker: We, your Committee on Federal Relations, having had under consideration Substitute for Senate Bill No. 98, introduced by Meadors, A Bill

for an Act entitled, "An Act permitting assessment by water users' associations which have contracts with the United States Government under the reclamation Act, in lieu of previous assessments," respectfully beg leave to report as follows: That same be concurred in.

Report adopted and Bill placed on General Orders.

Charles Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, to whom was referred House Bill No. 433, introduced by Husser, a Bill for an Act entitled, "An Act to amend Section 919, Article 10, of the Revised Codes of Montana, 1907, relating to the manner of establishing free county high schools," beg leave to report back to the House with the recommendation that same do pass.

Report adopted and Bill referred to Printing Committee.

Charles Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: Your Committee on Education, to whom was referred Senate Bill No. 179, by Oliver, a Bill for an Act entitled, "An Act to amend Section 403 of Chapter 76 of the Laws of the Twelfth Legislative Assembly of the State of Montana, relating to the creation of school districts," beg leave to report same back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 21, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day reported from Standing Committees with recommendations:

Committee on Counties and Towns reported H. B. No. 305, by Committee on Affairs of Cities, with the recommendation that the Bill be indefinitely postponed. Report adopted. Bill is returned herewith.

Committee on Judiciary reported H. B. No. 295, by Prosser, with the recommendation that the Bill be indefinitely postponed. Report adopted. Bill is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 21, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported from Standing Committees with recommendations:

Committee on Capital and Labor reported H. B. No. 132, by Murray, with the recommendation that the Bill be concurred in. Report adopted.

Also, H. B. No. 184, by Blake, with the recommendation that the Bill be concurred in. Report adopted.

Also, H. B. No. 199, by Higgins, with the recommendation that the Bill be amended as follows:

Amend Section 1 in line 5 by striking out the word "and" and inserting in lieu thereof the word "an."

Amend Section 10 by striking out the words "wherever insulation is used" and adding after the word "cable" the words "excepting trolley wires" and also adding after the word "voltage" the words and figures "up to 7500 volts."

Amend Section 13 by striking out the words and figures "twenty-two (22)" and inserting in lieu thereof the words and figures "twenty-six (26)."

Amend Section 20 by striking out the figures "22" and inserting in lieu thereof the figures and words "nineteen (19) and twenty-one (21)." Also by striking out the word "outline" in line 2 of the same section and inserting in lieu thereof the word "outlined."

Amend Section 21 by striking out the words "the cross-arms shall have" and inserting in lieu thereof the words "there shall be" after the word "plane" in the fourth line of the section.

Amend Section 25 by inserting after the word "betterments" the following: "And hereafter all future electrical construction in the State of Montana not

herein provided for." Also by inserting after the word "interpreted" the words "and enforce."

Amend Section 29 by inserting before the word "emergency" the word "extreme." Insert the words and figures "Section 35" before the phrase "All Acts and parts of Acts" in the last clause of the Bill.

Amend Section 35 to read as follows: "All Acts and parts of Acts are hereby repealed and all ordinances and parts of ordinances as now in force in cities and towns in the State of Montana are hereby modified to conform to this law"; and the Bill, as amended, be concurred in. Report adopted.

Committee on Public Morals reported Sub. for H. B. No. 204 with the recommendation that the Bill be concurred in. Report adopted.

Committee on Counties and Towns reported H. B. No. 327, by Lanstrum, with the recommendation that the Bill be concurred in. Report adopted.

Also reported H. B. No. 279, by Morrow, with the recommendation that it be concurred in. Report adopted.

Also reported H. B. No. 329, by Ball, with the recommendation that the Bill be concurred in. Report adopted.

Also H. B. No. 135, by Kehoe, with the recommendation that the Bill be concurred in. Report adopted.

Committee on Federal Relations reported H. J. M. No. 7, by McMahon, also H. J. R. No. 8, by Eaton, with the recommendation that they be concurred in. Report adopted.

Committee on Roads and Highways reported H. B. No. 396, by the Committee on Highways, with the recommendation that the Bill be concurred in. Report adopted.

Committee on Stock Growing and Grazing reported H. B. No. 180, by Shaw, with the recommendation that the Bill be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 21, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Finance and Claims reported H. B. No. 296, by Holt and Johnson, with the recommendation that the same be not concurred in. Report not adopted and on motion Bill was placed on General File.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 21, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported from Standing Committees with recommendations:

Committee on Judiciary reported H. B. No. 265, by Burnworth, with the recommendation that the Bill be concurred in. Report adopted.

Also H. B. No. 269, by Deibel, with the recommendation that the Bill be concurred in. Report adopted.

Also H. B. No. 109, by Demel, with the recommendation that the Bill be concurred in. Report adopted.

Also H. B. No. 186, by Working, with the recommendation that the Bill be amended as follows: Amend Section 1 by striking out the following: "For issuing a marriage license, two dollars," and that the Bill be concurred in as amended. Report adopted.

Also H. B. No. 130, by Kehoe, with the recommendation that the Bill be amended as follows: Amend Section 3 by adding the following: "Providing, however, nothing herein contained shall prevent or restrict a duly licensed architect from any state practicing his profession in Montana, upon the payment of the annual fees provided in this Act." In Section 10, strike out the following: "And the holder of such license shall be exempt from the payment of any other



license in the practice of his profession"; and that the Bill as so amended be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 21, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were reported this day from the Standing Committees with recommendations:

Committee on Finance and Claims reported House Bills Nos. 312, 313, 314, 315 and 316, introduced by the Committee on Appropriations, with the recommendation that same be deferred until such time as the House provides revenue Bills for the purpose of providing funds for the payment of deficiency and appropriations. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 21, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day reported from Standing Committees with recommendations:

Committee on Enrollment reported Senate Bills Nos. 139, 106, 132 and Sub. for S. B. No. 56, S. B. Nos. 64, 102 and 33 correctly enrolled. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 21, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Finance and Claims reported the following House Bills with the recommendation that they be not concurred in:

H. B. No. 91, by Bernard.

H. B. No. 232, by Bernard.

H. B. No. 214, by Higgins.

H. B. No. 242, by Belden.

Report adopted. Bills are herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 22, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Senator Morris the vote on House Bill No. 91 was reconsidered and the Bill placed on General File today, and the Bill asked to be returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 21, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported unfavorably upon by the Committee of the Whole Senate. Report adopted and Bills are herewith returned:

H. B. No. 22, introduced by Crismas.

H. B. No. 230, introduced by Gullidge.

H. B. No. 198, introduced by Belden.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 21, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills having this day been read three several times and concurred in as amended, titles agreed to, are herewith transmitted to your Honorable Body for concurrence in Senate amendments:

H. B. No. 98, by Carll.

H. B. No. 217, by Murray.

H. B. No. 176, by Lewis.

H. B. No. 90, by Ashby.

H. B. No. 211, by Lewis.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 21, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills having this day been read three several times and concurred in, titles agreed to, are herewith returned:

H. B. No. 161, by Carll.

H. B. No. 137, by Working.

H. B. No. 195, by Brooks.

H. B. No. 89, by Dodds.

H. B. No. 97, by Holt.

H. B. No. 143, by Bent.

H. B. No. 240, by Anderson.

H. B. No. 245, by Eaton.

H. B. No. 247, by Kemmis.

H. B. No. 250, by Mason.

H. B. No. 256, by Spain.

H. B. No. 233, by Husser.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 21, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following measures:

S. B. No. 64, by Dwight.

S. B. No. 33, by Stevens.

S. B. No. 102, by Williams.

S. B. No. 139, by Joint Committee on Stock Growing.

S. B. No. 106, by Stevens.

S. B. No. 132, by Joint Committee on Stock Growing.

Sub. for S. B. No. 56, by Williams.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 21, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that His Excellency, the Governor, this day notified the Senate that he had approved the following Bill:

S. B. No. 88, by Galloway.

Respectfully,

J. F. CONE, Secretary of the Senate.

### THIRD READING OF HOUSE BILLS.

Senate amendments to H. B. No. 211 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Baxter, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Demel, Dodds, Eaton, Eliel, Fuller, Gould, Griffin, Gullidge Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Hurd, Husser, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Larse, Lewis, Lusk, McClory, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Phelps, Rasmussen, Scott, Spain, Stimpert, Weil, Working—55.

Noes: Ball, Blodgett, Connolly, Crowley, Deibel, Duffy, Grimes, Jensen, Jones, Lanstrum, McDonald, Murray, O'Brien, Page, Prosser, Quaintance, Searles, Ward—18.

Absent and not voting: Andrew, Ashby, Belden, Blake, Crismas, Cutts, Davis, Farmer, Fishbaugh, Higgins, Huffaker, Ironside, Kemmis, Lemmon, McMahon, Rainey, Sand, Sektnan, Shaw, Wheat, White; Mr. Speaker present but not voting—22.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 90 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Scott, Searles, Shaw, Spain, Stimpert, Ward, Weil, Working—76.

Noes: None.

Absent and not voting: Baxter, Belden, Blake, Cotter, Crismas, Cutts, Davis, Farmer, Higgins, Kemmis, Lemmon, McMahon, Mason, Murray, Sand, Sektnan, Wheat, White; Mr. Speaker present but not voting—19.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 98 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Larse, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Middleton, Morris, Morrow, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Scott, Searles, Spain, Stimpert, Ward, Weil, Working—70.

Noes: Cutts—1.

Absent and not voting: Baxter, Belden, Blake, Blodgett, Cotter, Crismas, Davis, Farmer, Hawks, Higgins, Ironside, Kemmis, Lanstrum, Lemmon, McMahon, Mason, Murray, Rasmussen, Sand, Sektnan, Shaw, Wheat, White; Mr. Speaker present but not voting—24.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 217 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Cutts, Deibel, Demel, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Larse, Lewis, Lusk, McClory, McDonald, McMillan, Middleton, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Scott, Searles, Spain, Stimpert, Ward, Weil, Working—68.

Noes: None.

Absent and not voting: Baxter, Belden, Blake, Blodgett, Cotter, Crismas, Davis, Dodds, Farmer, Hawks, Henderson, Higgins, Ironside, Kehoe, Kemmis, Lanstrum, Lemmon, McMahon, McQuarrie, Mason, Rasmussen, Sand, Sektnan, Shaw, Wheat, White; Mr. Speaker present but not voting—27.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 176 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Bent, Bernard, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cutts, Deibel, Demel, Dodds, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Hurd, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Larse, Lewis, Lusk, McClory, McMillan, McQuarrie, Middleton, Morrow, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Scott, Spain, Stimpert, Weil—67.

Noes: Andrew, Ball, Blodgett, Connolly, Crowley, Duffy, Grimes, Huffaker, Jensen, Jones, Lanstrum, Morris, Murray, O'Brien, Searles, Ward—16.

Absent and not voting: Baxter, Belden, Blake, Cotter, Crismas, Davis, Farmer, Higgins, Husser, Ironside, Kehoe, Lemmon, McDonald, McMahon, Mason, Sand, Sektnan, Shaw, Wheat, White, Working; Mr. Speaker present but not voting—22.

Bill referred to Engrossing Committee.

On motion of Searles, House reverted to Fourth Order of Business.

### REPORTS OF STANDING COMMITTEES.

Searles, from the Committee on Fish and Game, reported as follows:

Mr. Speaker: Your Committee on Fish and Game, to whom was referred Senate Bill No. 142 (Substitute for S. Bills 100 and 125) by Gnose, entitled, "An Act to establish and create a general fish and game law for the State of Montana; to codify and arrange all of said laws now in force relating to fish and game which are not repealed or amended hereby and re-enacting such laws as are not in conflict herewith; to amend an Act approved March 9th, 1909, relating to hunting and fishing licenses; and repealing Chapter 81 of the Laws of 1909, relating to the killing of certain animals; to amend an Act approved February 15th, 1915, relating to licenses and the time of expiration thereof; and also to amend an Act approved March 13th, 1913, relating to game fish, known as Chapter 79 of the Laws of 1913; to amend an Act approved March 15th, 1913, authorizing the sale of game and game birds, known as Chapter 100 of the Laws of 1913; and also to amend an Act approved March 3rd, 1915, known as Chapter 76 of the Laws of 1915, relating to elk, Rocky Mountain sheep and goats; to amend an Act approved March 8th, 1915, and known as Chapter 107 of the Laws of 1915, relating to fish and game; to amend a law approved March 8th, 1915, known as Chapter 98 of the Laws of 1915, relating to a closed season for all game; to amend a law approved March 8th, 1915, known as Chapter 109 of the Laws of 1915, relating to the use of explosives or poisons for the purpose of catching fish; to amend an Act approved March 9th, 1915, known as Chapter 138 of the Laws of 1915, relating to the payment of costs in the prosecution of criminal cases under the game and fish laws; and also for the purpose of amending and re-enacting so much of the game and fish laws found in the Revised Codes of Montana, 1907, as may be found in Sections 8786 and 8789 inclusive; to enact a law relating to the trapping of beaver; relating to the appointment of deputy game wardens under civil service rules, relating to the installation of fish wheels in ditches at the expense of the State, relating to the killing and trapping of bear, and to provide a closed season therefor, to establish a closed season on grouse, prairie chicken, sage hens, fool hens, pheasants or partridge, to establish and provide for the management of fish and game preserves in the State of Montana," report same back to the House with the recommendation that it be concurred in as amended by the Senate.

Report adopted and Bill placed on General Orders.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred Senate Bill No. 81, introduced by Edwards, being a Bill for an Act entitled, "An Act to amend Section 4416 of the Revised Codes of the State of Montana, relating to the annual statements of foreign corporations and joint stock companies," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred Senate Bill No. 166, introduced by Committee on Towns and Counties, being a Bill for an Act entitled, "An Act for the creation and maintenance of a Bureau of Criminal Identification for the purpose of bringing about co-operation among county attorneys, sheriffs and police officers, to the end that the number of criminal cases prosecuted by the State may be reduced, habitual criminals more certainly identified and fugitives from justice apprehended; also providing for a special fund for the maintenance of said Bureau, also fixing the salaries and duties of the officers thereof," having had said Bill under consideration, beg leave



to report same back to the House with the recommendation that it be concurred in.

Report adopted and Bill placed on General Orders.

On motion of Working, House reverted to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

Working: I move that we return H. B. No. 91 to Senate.

Motion carried.

Baxter, from the Committee appointed to confer with a Committee from the Senate on amendments to Senate Bill No. 45, reported as follows:

Mr. Speaker: We, your Committee appointed to confer with a like Committee of the Senate relative to amendments to Senate Bill No. 45, introduced by Kinney, entitled, "An Act to amend Section 50 of Chapter 89 of the Laws of 1915, entitled, 'An Act regulating the business of banking, providing for the creation and regulation of banking, providing for the creation and regulation of banking corporations, creating the department of banking and prescribing the duties and fixing salaries of its officers and employees,' and repealing Title 2, Part 4, of Division 1 of the Civil Code of Montana, entitled, 'Banks and Banking Corporations,' being the provision of Sections 2909 to 4015, both numbers inclusive, of the Revised Codes of Montana, 1907, and all Acts amendatory thereof, relating to the designation of reserve banks," having had same under consideration, beg leave to report as follows: The Senate conferees concur in amendment made in the House Committee on Banks and Banking to amend said Bill in Section 1 of line 15 by inserting after the word "repute" the following: "having a fully paid up capital and surplus of \$100,000." The Senate conferees concur in House amendment by which the word "not" was inserted in line 35 after the word "shall." The Senate conferees concur in House amendment by which the sentence beginning on page 2, line 26, and ending with the word "act" in line 28, is stricken out, said sentence being as follows: "Any bank which shall become a member of the Federal Reserve Banking Association and which in all respects complies with the rules and regulations of that association shall be deemed to have complied with the provisions of this Act." The conferees of both the House and Senate unanimously join in recommending the following amendment, amending Section 1 by inserting after the word "cause" in line 18, the following: "provided that the provisions of this Act as to capital and surplus shall not apply to any bank in Montana heretofore designated by the superintendent of banks as a reserve bank." The House recedes from its amendment in Committee of the Whole reducing the capital and surplus of designated reserve agents from \$100,000 to \$50,000, and as so amended, recommend the Bill for concurrence.

Report adopted.

McMahon, from the Sifting Committee, reported as follows:

Mr. Speaker: We, your Sifting Committee, having had under consideration the various measures before the House on General Orders, recommend that the following Bills constitute General Orders for the present: 345, 289, 319, 314, 334, 156.

Report adopted and Bills placed on General Orders.

Lusk: I move that H. B. No. 345 be made a special order of business at 2:00 P. M.

Motion carried.

Working: I move that Speaker appoint a Conference Committee to act with a like Committee from the Senate in reference to House amendments to S. B. No. 92.

Motion carried.

On motion of Rasmussen, House resolved itself into a Committee of the Whole for the consideration of General Orders, with debate limited to ten minutes on any one Bill.

### GENERAL ORDERS.

Harmon in the Chair.

House resumed.

Mr. Speaker in the Chair.

Harmon, of the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 289, by Blodgett, entitled, "An Act providing that a sum equivalent to one-twentieth of one mill on each dollar of valuation on real and personal property in each county of the State, shall be deducted annually by each county from the county school fund and set apart as a fund known as the public school teachers' retirement salary fund; requiring the county superintendent to deduct said sum from such county school fund before apportioning the revenue of the school district within the county; providing for such public school teachers' retirement salary fund so set apart to be remitted by the County Treasurer to the State Treasurer to the credit of the public school teachers' retirement salary fund, in the hands of the State Treasurer," report same back to the House with the recommendation that it do pass.

Report adopted.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 217, introduced by Murray, beg leave to report same back as correctly engrossed as to Senate amendments.

Report adopted and Bill placed on Calendar for Third Reading.

Mr. Speaker appointed the following members as a Conference Committee on Senate amendments to H. B. No. 92: Working, Andrew, Cotter.

On motion of Baxter, House resolved itself into a Committee of the Whole for the consideration of General Orders.

#### GENERAL ORDERS.

Baxter in the Chair.

House resumed.

Mr. Speaker in the Chair.

Baxter, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 319, by Kelsey, entitled, "An Act to amend Section 1 of Chapter 31 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, entitled, 'An Act to protect the owners of cattle and to cause the inspection of the same before their removal from one county to another within the State of Montana,'" report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 311, by Blake, entitled, "An Act to promote the unity and to increase the effectiveness of the State educational system of Montana by authorizing the University of Montana convocation, and to provide for the conduct of the same," report same back to the House with the recommendation that it be re-referred to General Orders.

Also, having had under consideration H. B. No. 334, by Andrew, entitled, "An Act to define the powers and duties of county surveyors, to provide for their compensation, and to create the office of county engineer in counties of the first class," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 156, by Committee on Conservation and Resources, entitled, "An Act to provide for the storing of flood waters, and giving to the person erecting storage works or dams the right to the use and ownership of waters so stored," report same back to the House with the recommendation that same be amended as follows: By striking out all of Section 6 and renumbering Sections 7 and 8 to conform thereto, and that as amended same do pass.

Report adopted.

Holt: I move that H. B. No. 97 be placed on Third Reading for concurrence in Senate amendments.

Motion carried.

On motion of Holt, House reverted to Ninth Order of Business.

#### THIRD READING OF HOUSE BILLS.

Senate amendments to H. B. No. 97 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Ball, Baxter, Bent, Bernard, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Carll,

Clark, Connolly, Cotter, Crowley, Deibel, Demel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Prosser, Sand, Scott, Searles, Spain, Stimpert, Ward, Weil, White—56.

Noes: Rainey, Shaw—2.

Absent and not voting: Andrew, Ashby, Baldwin, Belden, Blake, Brooks, Burnworth, Crismas, Cutts, Davis, Dodds, Griffin, Higgins, Ingalls, Ironside, Jones, McClory, McMillan, Murray, Page, Phelps, Quaintance, Rasmussen, Sektnan, Wheat, Working; Mr. Speaker present but not voting—27.

Bill referred to Engrossing Committee.

McMahon: I move that House Bills Nos. 289, 319, 334, 156 be considered correctly engrossed and placed on Third Reading.

Motion carried.

H. B. No. 319, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ball, Baxter, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Shaw, Stimpert, Ward, Weil, White, Working—76.

Noes: None.

Absent and not voting: Ashby, Baldwin, Belden, Bent, Bernard, Blake, Connolly, Crismas, Davis, Jones, Kemmis, McClory, Page, Phelps, Rasmussen, Sektnan, Spain, Wheat; Mr. Speaker present but not voting—19.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 289, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ball, Baxter, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Connolly, Cotter, Cutts, Deibel, Demel, Duffy, Eliel, Farmer, Fuller, Gould, Grimes, Harmon, Hathaway, Hawks, Henderson, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Lanstrum, Larse, Lemmon, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Morris, Murray, O'Brien, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Shaw, Spain, Ward, Weil, White, Working—72.

Noes: Brooks, Burnworth, Dodds, Eaton, Gullidge, Harbert, Henry, Kelsey, Kemmis, Lewis, Middleton, Morrow, Stimpert, Mr. Speaker—14.

Absent and not voting: Ashby, Baldwin, Belden, Bent, Bernard, Blake, Clark, Crismas, Crowley, Davis, Griffin, Higgins, Jones, McClory, Page, Phelps, Rasmussen, Sektnan, Wheat—19.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 334, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Cotter, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Morris, Murray, O'Brien, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Shaw, Stimpert, Ward, Weil, White—71.

Noes: Hathaway—1.

Absent and not voting: Baldwin, Belden, Bent, Bernard, Blake, Clark, Con-

nolly, Crismas, Davis, Ingalls, McDonald, Middleton, Morrow, Page, Phelps, Rasmussen, Sektnan, Spain, Wheat, Working; Mr. Speaker present but not voting—23.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 156, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Ball, Baxter, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Murray, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Shaw, Spain, Stimpert, Weil, White, Working—73.

Noes: None.

Absent and not voting: Arneson, Baldwin, Belden, Bent, Bernard, Blake, Connolly, Crismas, Davis, Eaton, Hathaway, Jones, McClory, McDonald, McQuarrie, O'Brien, Page, Phelps, Sektnan, Ward, Wheat; Mr. Speaker present but not voting—22.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Holt, House adjourned until 9:30 A. M., Friday, February 23, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## FIFTY-FOURTH DAY

Friday, February 23, 1917.

House met at 9:30 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by the Chaplain.

Roll called. All members present.

Ironside, from the Committee on Journal, reported as follows:

Mr. Speaker: We, your Committee on Journal, beg leave to report that we have examined the Journal of the fifty-third day and find the same to be correct.

Report adopted.

### REPORTS OF SELECT COMMITTEES.

McMahon, from the Sifting Committee, reported as follows:

Mr. Speaker: We, your Sifting Committee, after having had under consideration House Bill No. 352, beg leave to report as follows: That it be referred to the Appropriations Committee.

Report adopted.

### REPORTS OF STANDING COMMITTEES.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 217, 90, 211, 176 and 98, beg leave to report same back as correctly engrossed as to Senate amendments.

Report adopted and Bills referred to Enrolling Committee.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred Senate Bill No. 167, introduced by Committee on Roads and Highways, being a Bill for an Act entitled, "An Act to establish a State Highway Commission, defining its powers and duties, and providing for a State Highway Commission Fund, and appropriating money therefor; providing for obtaining the benefits of



federal aid under the Act of Congress approved July 11, 1916, and repealing Chapter 78 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that the same be concurred in, after being amended so as to read as follows: "Section 13. That Chapter 78 of the Acts of the Thirteenth Legislative Assembly, entitled, 'An Act to establish a Montana State Highway Commission, defining its duties and powers and providing for its compensation, providing for a State Highway Commission Fund and appropriating money therefor, be and the same is hereby repealed.'"

Report adopted and Bill placed on General Orders.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 101, introduced by Husser, being a Bill for an Act entitled, "An Act appropriating money for the equipment and maintenance of the North Montana Agricultural and Manual Training School for the two years commencing March 1st, 1917, and ending February 28, 1919," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do not pass, for the reason that the appropriation for this North Montana Agricultural and Manual Training School will be included in the General Appropriation Bill.

Report adopted.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred Senate Bill No. 165, introduced by Haley, being a Bill for an Act entitled, "An Act to repeal Chapter 78 of the Acts of the Thirteenth Legislative Assembly, entitled, 'An Act to establish a Montana State Highway Commission, defining its duties and powers, providing for its compensation; providing for a State Highway Commission Fund, and appropriating money therefor,'" having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it be not concurred in.

Report adopted.

### READING OF SENATE BILLS.

S. J. R. No. 5, read first and second time and referred to Committee on Military Affairs.

### INTRODUCTION AND SECOND READING OF BILLS.

Lewis and Higgins were granted unanimous consent to introduce Bills without previous notice.

H. B. No. 445, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act to appropriate money for the purpose of paying the claims of cities against the firemen's disability fund, which claims have been approved by the State Board of Examiners." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 446, introduced by Lewis: A Bill for an Act entitled, "An Act providing for the consolidation of the Department of Labor and Industry with the Industrial Accident Board, devolving upon the Industrial Accident Board the powers and duties of the Commissioner of Labor and Industry, providing for the performance of said duties by the Industrial Accident Board, abolishing the office of Commissioner of Labor and Industry, amending Section 2 (a) of Part I of Chapter 96 of the Laws of the Fourteenth Legislative Assembly of the State of Montana providing that the Secretary of State shall hereafter be a member of the Industrial Accident Board instead of the Commissioner of Labor and Industry, and repealing laws in conflict therewith." Read first and second time and referred to Judiciary Committee.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 22, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body

that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Fish and Game reported H. B. No. 395, pertaining to establishing game preserves, with the recommendation that the same be concurred in. Report adopted.

Committee on Fairs and Expositions reported (a majority report) House Bill No. 333, relating to wagers, with the recommendation that the Bill be concurred in. Report adopted.

Committee on Finance and Claims reported H. B. No. 104, by Grimes; H. B. No. 244, by Kemmis, and H. B. No. 290, by Blodgett, with the recommendation that they be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 22, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported unfavorably by the Committee of the Whole Senate. Report adopted and the Bills are herewith returned: H. B. No. 109, introduced by Demel.

H. B. No. 204, introduced by Johnston and Morrow.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 22, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day reconsidered the vote by which H. B. No. 230 was acted upon yesterday and ask that the Bill be returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 22, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that Senate Joint Resolution No. 5, introduced by O'Shea, "A Joint Resolution relating to the service of the Second Infantry and Cavalry Troop A during the Mexican trouble," was this day introduced without previous notice by unanimous consent of the Senate, read and adopted, and is herewith transmitted to the House for concurrence.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 22, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that His Excellency, the Governor, this day advised that he had approved the following Bills:

Sub. S. B. No. 56.

S. B. No. 33.

S. B. No. 64.

S. B. No. 102.

S. B. No. 132.

S. B. No. 139.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Gullidge, House reverted to Sixth Order of Business.

#### MOTIONS AND RESOLUTIONS.

Gullidge: I move that the request of the Senate to return H. B. No. 230 be granted.

Motion carried.

On motion of Hathaway, House reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

Hathaway, from the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, to whom was referred House Bill No. 424, introduced by Rainey, entitled,

"An Act fixing the compensation of juvenile court officers for the investigation of widows and others making application for financial aid," report same back to the House with the recommendation that the same do pass.

Report adopted and Bill referred to Printing Committee.

Rasmussen: I move that House resolve itself into a Committee of the Whole for the consideration of General Orders and that H. B. No. 345 be made a special order of business for 11:00 o'clock.

Motion carried.

### GENERAL ORDERS.

Ingalls in the Chair.

House resumed.

Mr. Speaker in the Chair.

Ingalls, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 311, by Blake, entitled, "An Act to promote the unity and to increase the effectiveness of the State educational system of Montana by authorizing the University of Montana convocation, and to provide for the conduct of the same," report same back to the House with the recommendation that it do pass.

Report adopted.

On motion of Buell of Missoula, House reverted to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

Higgins submitted the following Resolution:

"IT IS HEREBY RESOLVED by the House that the Bill Clerk be paid eight dollars (\$8.00) and the Assistant Enrolling Clerk and Assistant Engrossing Clerk be paid six dollars (\$6.00) per day during the time of their services in the House, according to the provisions of House Bill No. 217, which has passed the House and Senate, and that the Chief Clerk instruct the State Auditor of this action by the House, and that the State Auditor be authorized and instructed to make payment according to the provisions of this Resolution."

Resolution adopted.

On motion of Lemmon, House recessed until 11:00 A. M.

House resumed at 11:00 A. M.

Mr. Speaker in the Chair.

No objection being offered, House reverted to Seventh Order of Business.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 23, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day introduced, read first and second time, and referred as follows:

S. B. No. 201, by Hogan, "An Act for the submission to the qualified electors of the State of Montana of an amendment to Section 8 of Article XIX of the Constitution of the State of Montana, relating to the manner of calling a Constitutional Convention." Referred to Committee on Constitutional Amendments.

S. B. No. 202, by Committee on Finance and Claims, "An Act appropriating money for the maintenance of the executive and judicial departments of the State government for two years, commencing March 1st, 1917, and ending February 28th, 1919." Referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 23, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Printing reported H. B. No. 164, by Hurd, with the recommendation that the Bill be concurred in. Report adopted.

Committee on Public Morals reported H. B. No. 348, by Kemmis, with the recommendation that the Bill be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 23, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Railroads and Transportation, to whom was referred H. B. No. 159, by Ironside, this day reported same back with the recommendation that the Bill be not concurred in. Report adopted. Bill is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 23, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that His Excellency, the Governor, this day advised the Senate that he had approved the following measures:

S. B. No. 83.

S. B. No. 106.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 23, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion Senate Bill No. 137 is hereby recalled from the House and referred to the Judiciary Committee of the Senate.

Respectfully,

J. F. CONE, Secretary of the Senate.

The hour having arrived for the consideration of special order of business, on motion of Rasmussen, House resolved itself into a Committee of the Whole for the consideration of General Orders, with unlimited debate on H. B. No. 345.

### GENERAL ORDERS.

Lanstrum in the Chair.

House resumed.

Mr. Speaker in the Chair.

Lanstrum, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 345, by Gould, entitled, "An Act to license certain corporations for the exclusive use and benefit of the State of Montana, fixing the license fee for engaging in business and providing a method of collecting such license fee, and repealing Section 2773 of the Revised Codes of the State of Montana of 1907, as amended by the Act approved March 1, 1911, entitled, 'An Act to amend Section 2773 of the Revised Codes of the State of Montana of 1907 and Sections 2774 and 2777 of the Revised Codes of Montana of 1907,' " report same back to the House with the recommendation that same be amended as follows, to-wit:

On page 7 of the printed Bill, at line 156, between the word "shall" and the word "on," insert the following words: "For the year ending"; and in line 157, on the same page, between the word "December" and the word "in," insert the following words: "or for its fiscal year selected under the provisions hereof"; amend Section 5 by striking out in line 189 the word "after" and inserting in lieu thereof the word "within."

On page 9 of the printed Bill, in line 198, change figures to read "\$5,000.00"; and between the words "and" and "forfeit" strike out the word "shall" and insert the following words: "may be adjudged by a court of competent jurisdiction to"; amend Section 8 by inserting in line 208, after the word "notice," the words "in writing of not less than five days."

Amend Section 1 by striking out in line 69 the words "and corporations having" and all of lines 70 and 71; amend Section 2 by striking out in line 83 the word "exhaustion."

Amend Section 3 by striking out in line 126 the word "exhaustion"; amend Section 3 by adding in line 118, after the word "Montana" the words "other than the income derived from interstate commerce"; amend Section 3 by adding



the following: "Fifth: And in addition to the foregoing deductions, every such corporation shall also have the right and privilege of making an additional arbitrary deduction of the sum of 10,000 dollars.

"Provided, however, that as to any corporation engaged in both intrastate and interstate commerce, the net earnings from intrastate business in Montana, so far as expenses of maintenance and operation are concerned, shall be determined by deducting from the gross earnings from intrastate business in Montana such portion thereof as the total expenses of such corporation for maintenance and operation, both within and without the State of Montana, are of the gross earnings of such corporation from all sources both within and without the State; provided, further, that as to any such corporation the deduction for interest shall be such portion of all interest paid on the entire indebtedness of such corporation as the gross intrastate earnings of such corporation in Montana are of the gross earnings of such corporation from all sources, both within and without the State, and the deduction for taxes shall be such portion of all taxes paid by such corporation in Montana as the gross intrastate earnings of such corporation in Montana are of the gross earnings of such corporation from all sources within the State, and otherwise the foregoing provisions with reference to deductions shall apply"; and that, as amended, Bill do pass.

Lanstrum: I move the adoption of the report.

Higgins: As a substitute, I move that H. B. No. 345 be amended as follows:

Strike out the first 23 lines of Section 1 and insert in lieu thereof of following: "Section 1. Every corporation except as hereinafter exempted, organized and existing under the laws of the State of Montana, or under the laws of any other state or country, or the United States, and engaged in business of any kind in the State of Montana, shall annually pay to the State Treasurer a license fee for carrying on business in said State of Montana, such license fee to be computed, in the manner hereinafter provided, upon the total net income received by such corporation in the preceding fiscal year from all business, industry or other sources within the State of Montana; provided, that in the case of a corporation engaged in interstate commerce, the license fee is to be computed in the manner provided for in Section 3 of this Act, on the net income of all property within the State of Montana used in intrastate business, plus the net income of all its property actually used within the State of Montana in interstate business; and provided, further, that the net income shall include interest on bonds, notes or other interest bearing obligations of residence, corporate or otherwise, and shall include the income derived from dividends on capital stock or from net earnings of resident corporations whose net income is taxable under this title."

Insert a new section to be known as Section 4, to read as follows:

"Section 4. The license fee imposed by this Act on each and every corporation subject to the provisions of this Act, shall be:

1st. Every corporation whose net income, ascertained in the manner provided for in Sections 2 and 3 of this Act, is in excess of \$7,500.00, but not in excess of \$25,000.00, shall pay a license fee of one-fourth of one percentum upon such net income.

2nd. Every corporation subject to the provisions of this Act whose net income, as ascertained in the manner provided for in Sections 2 and 3 of this Act, is in excess of \$25,000.00 shall pay a fee upon such excess, the rates of which fee shall be as follows:

(a). Upon all in excess of twenty-five thousand dollars and up to one hundred thousand dollars, one-half of one per centum of such excess.

(b). Upon all in excess of one hundred thousand dollars and up to two hundred fifty thousand dollars, three-quarters of one per centum of such excess.

(c). Upon all in excess of two hundred fifty thousand dollars and up to five hundred thousand dollars, one per centum of such excess.

(d). Upon all in excess of five hundred thousand dollars and up to one million dollars, one and one-half per centum of such excess.

(e). Upon all in excess of one million dollars and up to five million dollars, two per centum of such excess.

(f). Upon all in excess of five million dollars, and up to ten million dollars, four per centum of such excess.

(g). Upon all in excess of ten million dollars, five per centum of such excess"; and, as amended, that it do pass.

Roll call being demanded, resulted in the following vote:

Ayes: Anderson (Oscar W.), Booth, Buell of Missoula, Buell of Gallatin, Burnworth, Cotter, Davis, Demel, Dodds, Eaton, Griffin, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Hurd, Husser, Ingalls, Johnston of Ravalli, Kelsey, Kemmis, Larse, Lewis, Mason, Morrow, Phelps, Sand, Scott, Sektnan, Spain—32.

Noes: Andersen (Charles), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Brooks, Buchanan, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Deibel, Duffy, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Harbert, Henderson, Huffaker, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Lanstrum, Lemmon, McClory, McMahan, McMillan, McQuarrie, Middleton, Morris, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Searles, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—57.

Absent and not voting: Arneson, Gullidge, Jones, Lusk, McDonald; Mr. Speaker present but not voting—6.

Substitute motion lost and report of the Committee of the Whole adopted.

Gould: I move that H. B. No. 345 be considered correctly engrossed and placed on Third Reading.

Motion carried.

On motion of Gould, House reverted to Ninth Order of Business.

### THIRD READING OF HOUSE BILLS.

H. B. No. 345, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Gallatin, Buchanan, Carll, Connolly, Crismas, Crowley, Cutts, Deibel, Duffy, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Harbert, Harmon, Hathaway, Henderson, Huffaker, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Lemmon, McClory, McMahan, McMillan, McQuarrie, Middleton, Morris, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Searles, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—64.

Noes: Buell of Missoula, Burnworth, Clark, Cotter, Davis, Demel, Dodds, Eaton, Griffin, Hawks, Henry, Higgins, Holt, Hurd, Husser, Ingalls, Kemmis, Larse, Lewis, Mason, Morrow, Phelps, Sand, Scott, Sektnan—25.

Absent and not voting: Arneson, Gullidge, Jones, Lusk, McDonald; Mr. Speaker present but not voting—6.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Higgins, House reverted to Fifth Order of Business.

### INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 447, introduced by Higgins: A Bill for an Act entitled, "An Act authorizing the State of Montana to become indebted in excess of the Constitutional limit, and to provide for the issuance of bonds in the name of the State of Montana, as evidence of such indebtedness for the construction of necessary buildings for the State University, the College of Agriculture and Mechanic Arts, the State Normal College, the State School of Mines and any other State institutions under the control of the State Board of Education." Read first and second time and referred to Committee on Ways and Means.

### REPORTS OF SELECT COMMITTEES.

Working, from the Conference Committee on House amendments to S. B. No. 92, reported as follows:

Mr. Speaker: We, your Conference Committee of the House of Representatives, to which was referred Senate Bill No. 92, introduced by Jones, same being a Bill for an Act entitled, "An Act to amend Section 3032 of the Montana Re-

vised Codes of 1907, enumerating the instruments to be recorded by the County Clerk and Recorder, and the matter of recording the same," having had the same under consideration with a like Conference Committee from the Senate, held a joint meeting and unanimously recommend that the House of Representatives recede from its position, and that the said Senate Bill No. 92 be concurred in by the House of Representatives without the said House amendment.

Report adopted.

S. B. No. 92 was concurred in without House amendments by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Baldwin, Ball, Baxter, Belden, Bernard, Blodgett, Booth, Buell of Missoula, Carl, Connolly, Cotter, Crismas, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—71.

Noes: None.

Absent and not voting: Arneson, Ashby, Bent, Blake, Brooks, Buell of Galatin, Buchanan, Burnworth, Clark, Davis, Farmer, Gullidge, Harbert, Henderson, Huffaker, Jones, Lusk, McDonald, McMahon, McMillan, Morris, Rasmussen, Scott; Mr. Speaker present but not voting—24.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Lanstrum, House resolved itself into a Committee of the Whole for the consideration of General Orders.

#### GENERAL ORDERS.

Kemmis in the Chair.

House resumed.

Mr. Speaker in the Chair.

Kemmis, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 169, by Grimes, entitled, "An Act for the submission to the qualified electors of the State of Montana of an amendment to Article XVI of the Constitution of the State of Montana, by adding thereto a Section to be known as Section 7, relating to the consolidation of city and county governments," report same back with the recommendation that it do not pass.

Also, having had under consideration H. B. No. 317, by Wheat, entitled, "An Act to fix the salary of the janitors of the State Capitol Building," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 419, by McClory, entitled, "An Act to amend Section 7331 of the Revised Codes of Montana, relating to eminent domain," report same back with the recommendation that same be amended as follows:

Amend line 1 of the printed Bill by inserting after the word "Section" the figure "1," so as to read "Section 1."

Amend lines 30, 32, 33, 34, 35, 39, 40, 41 and 42 by striking out the word "Section" wherever it appears.

Amend line 46 of the printed Bill after the word "Section" by striking out the figure "7" and inserting in lieu thereof the figure "2."

Amend line 48 of the printed Bill by striking out after the word "Section" the figure "8" and inserting in lieu thereof the figure "5"; and that, as amended, Bill do pass.

Also, having had under consideration H. B. No. 432, by Committee on Appropriations, entitled, "An Act appropriating money from the bounty fund for the payment of certain bounty claims which were disallowed by the State Board of Examiners owing to technical errors in the proof," report same back with the recommendation that the same do pass.

Also, having had under consideration H. B. No. 417, by Higgins, entitled, "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, suc-

cessions and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder, and repealing all Acts in conflict with this Act," report same back with the recommendation that it do pass.

Kemmis: I move the adoption of the report.

Blake: As a substitute, I move that H. B. No. 169 be segregated from the report.

O'Brien: I move that motion of Blake be laid upon table.

Motion to lay on the table carried and report of the Committee of the Whole adopted.

Higgins: I move that House Bills Nos. 317, 418, 419 and 432 be considered correctly engrossed and placed on Third Reading.

Motion carried.

### THIRD READING OF HOUSE BILLS.

H. B. No. 317, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Bernard, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Clark, Cotter, Crismas, Crowley, Davis, Dodds, Fishbaugh, Gould, Griffin, Grimes, Harmon, Hathaway, Hawks, Henry, Higgins, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, McClory, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Page, Prosser, Quaintance, Rainey, Scott, Searles, Weil, White, Working—58.

Noes: Burnworth, Phelps—2.

Absent and not voting: Baxter, Blake, Buell of Gallatin, Carll, Connolly, Cutts, Deibel, Demel, Duffy, Eaton, Eliel, Farmer, Fuller, Gullidge, Harbert, Henderson, Holt, Hurd, Johnston of Ravalli, Jones, Kemmis, Lusk, McDonald, McMahon, McMillan, Murray, Rasmussen, Sand, Sektnan, Shaw, Spain, Stimpert, Ward, Wheat; Mr. Speaker present but not voting—35.

Title agreed to and Bill transmitted to Senate for concurrence.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 247, 256, 143, 161, 217, 240, 195, 233, 245, 211, 90, 176, beg leave to report the same back as correctly enrolled.

Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 247, 256, 143, 161, 217, 240, 195, 233, 245, 211, 176 and 90, and signed same in the presence of the House.

H. B. No. 417, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Booth, Brooks, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McQuarrie, Morris, Morrow, Murray, Page, Prosser, Rainey, Rasmussen, Sand, Scott, Sektnan, Shaw, Weil, Working—63.

Noes: None.

Absent and not voting: Ashby, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Connolly, Cutts, Davis, Deibel, Demel, Eliel, Grimes, Gullidge, Holt, Hurd, Husser, Johnston of Ravalli, Kemmis, Lusk, McMillan, Mason, Middleton, O'Brien, Phelps, Quaintance, Searles, Spain, Stimpert, Ward, Wheat, White; Mr. Speaker present but not voting—32.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 419, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby,



Baldwin, Ball, Baxter, Belden, Bent, Bernard, Booth, Brooks, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crowley, Cutts, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Larse, Lewis, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Sand, Scott, Sektnan, Shaw, Stimpert, Ward, Weil, Working—70.

Noes: None.

Absent and not voting: Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Crismas, Davis, Deibel, Demel, Eliel, Gullidge, Holt, Hurd, Husser, Jones, Kemmis, Lemmon, Lusk, McDonald, Phelps, Rasmussen, Searles, Spain, Wheat, White; Mr. Speaker present but not voting—25.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 432, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Booth, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Davis, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, McClory, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Phelps, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, Working—71.

Noes: None.

Absent and not voting: Blake, Blodgett, Buell of Missoula, Crowley, Cutts, Deibel, Demel, Eliel, Gullidge, Holt, Hurd, Husser, Jones, Kemmis, Lusk, McDonald, McMillan, O'Brien, Rasmussen, Spain, Ward, Wheat, White; Mr. Speaker present but not voting—24.

Title agreed to and Bill transmitted to Senate for concurrence.

On motion of Belden, House reverted to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

Belden: I move that the Clerk be instructed to have H. B. No. 345 correctly engrossed before it is transmitted to the Senate.

Motion carried.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 311, beg leave to report same back as correctly engrossed.

Report adopted and Bill placed on Calendar for Third Reading.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 97 and 250, beg leave to report same back as correctly engrossed as to Senate amendments.

Report adopted and Bills referred to Enrolling Committee.

On motion of Lemmon, House adjourned until 10:30 A. M., Saturday, February 24, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## FIFTY-FIFTH DAY

Saturday, February 24, 1917.

House met at 10:30 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present. Stimpert excused.

Ironside, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Journal Committee beg leave to report that they have examined the Journal of the fifty-fourth day and find the same to be correct.  
Report adopted.

#### REPORTS OF SELECT COMMITTEES.

McMahon, from the Sifting Committee, reported as follows:

Mr. Speaker: We, your Sifting Committee, having had under consideration the various measures before the House on General Orders, recommend that the following Bills constitute General Orders for today: 349, 351, 388, 389, 390, 418, 99, 394, 404, 286, 125, 249.

Report adopted and Bills placed on General Orders.

#### REPORTS OF STANDING COMMITTEES.

Shaw, from the Committee on Waterways and Navigation, reported as follows:

Mr. Speaker: We, your Committee on Waterways and Navigation, having had under consideration Senate Bill No. 130, introduced by Featherly, a Bill for an Act entitled, "An Act to amend Sections 2139 and 2140 of the Revised Codes of the State of Montana relating to dams and reservoirs," beg leave to report back with the recommendation that the same be concurred in.

Report adopted.

Demel, from the Committee on Military Affairs, reported as follows:

Mr. Speaker: We, your Committee on Military Affairs, having had under consideration Senate Joint Resolution No. 5, introduced by O'Shea, "A Joint Resolution relating to the service of the Second Infantry and Cavalry Troop A during the Mexican trouble," beg leave to report the same back to the House with the recommendation that it be concurred in.

Report adopted.

Wheat, from the Committee on Insurance, reported as follows:

Mr. Speaker: We, your Committee on Insurance, having had under consideration Senate Bill No. 16, introduced by O'Shea and Morris, being an Act to create a State Board of Hail Insurance, etc., respectfully beg leave to report as follows: That same be returned without recommendation.

Wheat: I move the adoption of the report.

Crismas: As a substitute, I move that S. B. No. 16 be placed on General Orders.

Motion carried.

Wheat, from the Committee on Insurance, reported as follows:

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 370, introduced by Holt, being an Act to create a State Hail Insurance Department, etc., respectfully beg leave to report as follows: That same be indefinitely postponed.

Report adopted.

Wheat, from the Committee on Insurance, reported as follows:

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 25, introduced by Stimpert, a Bill for an Act entitled, "An Act establishing the Board of Hail Commissioners for the State of Montana and prescribing its duties and powers," respectfully beg leave to report as follows: That same do not pass.

Report adopted.

Wheat, from the Committee on Insurance, reported as follows:

Mr. Speaker: We, your Committee on Insurance, having had under consideration House Bill No. 423, introduced by Wheat, an Act establishing public rating bureaus and defining their powers, etc., respectfully beg leave to report as follows: That same do pass.

Wheat: I move the adoption of the report.

Crismas: As a substitute, I move that H. B. No. 423 do not pass.

Motion carried.

Rainey, from the Committee on Irrigation and Water Rights, reported as follows:

Mr. Speaker: We, your Committee on Irrigation and Water Rights, after

having under consideration Senate Bill No. 108, by Committee on Irrigation and Water Rights, entitled, "An Act to amend and re-enact Sections 1, 4, 11, 30, 35 and 48 of Chapter 146 of the Montana Session Laws, 1909, and Sections 2 and 11 of Chapter 145 of the Montana Session Laws, 1915, relating to the creation, organization, government and change in the area of irrigation districts," beg leave to report as follows: That same be reported back to the House with the recommendation that it be concurred in as amended, as follows:

Amend Section 2, line 58, by inserting the following after the word "by": "And provided further, that all lands having water rights appurtenant thereto which are served by a system of irrigation works supplying more than ten thousand acres of land, may, in the discretion of the court, be included in the proposed district on petition of at least sixty-five per cent both in number and acreage of the holders of title or evidence of title to the land having water rights appurtenant thereto and served by the same system of irrigation works."

Amend Section 6 by adding the following to said Section after line 234: "And provided further, that all lands having water rights appurtenant thereto which are served by a system of irrigation works supplying more than ten thousand acres of land, may, in the discretion of the court, be included in the proposed district on petition of at least sixty-five per cent both in number and acreage of the holders of title or evidence of title to the land having water rights appurtenant thereto and served by the same system of irrigation works."

Amend by inserting two sections after Section 7 to be known as Section 8 and Section 9 and renumbering the remaining Sections of the Bill in accordance therewith.

Section 8. That Section 12 of Chapter 145, Montana Session Laws (1915), is hereby amended to read as follows, to-wit:

Section 12. (Lien of Bonds). All bonds issued hereunder, and all amounts to be paid to the United States under any contract between the district and the United States accompanying, which bonds of the district have not been deposited with the United States as in Section 9 provided, shall be a lien upon all the lands originally or at any time included in the district for the irrigation and benefit of which said irrigation district was organized and said bonds were issued; and for the benefit of which such contract between the district and the United States was made; except upon such lands as may at any time be included in such district on account of the exchange or substitution of water under the provisions of Section 36 of this Act, and if any there be; and all such lands shall be subject to a special tax or assessment for the payment of the interest on, and principal of, said bonds; and all amounts to be paid to the United States under any such contract between the district and the United States, and said special tax or assessment shall constitute a first and prior lien on the lands against which levied, to the same extent and with like force and effect as taxes levied for State and county purposes. And the lien of all bonds so issued hereunder, and all amounts so to be paid to the United States, shall, in the resolution providing for the issuance of said bonds, and the proceedings for the confirmation thereof, be apportioned upon each forty-acre tract of land, and every separately owned subdivision thereof, within said district, by dividing the total of the principal of said indebtedness by the number of acres of land within said district actually irrigable from its system and works, and every acre of such land shall bear and be assessed for its equal proportion thereof, and the interest accruing upon such proportion thereof, and any owner may at the time of the payment of his annual taxes on said lands pay unto the county treasurer the total sums so assessed against his said lands, with interest thereon to the end of the current year in which said payment is made, and thereupon said tract or tracts of land so paid up in full shall be discharged from the lien of said bonds and further assessments for interest thereon, but shall remain perpetually liable to the annual assessments made for maintenance and administrative purposes, and the moneys so derived from such payments shall be placed in the sinking fund of such district for the retirement of the bonds or payment of the amounts due to the United States, and the commissioners shall apply the same to the retirement of the bonds of the district, provided the same, as far as there are funds to retire the bonds, can be acquired or not exceeding par, and the accrued interest thereon, and to the payment of or re-

duction of any sums due to the United States, so far as there may be funds derived therefrom for such purpose, and when bonds cannot be so obtained, then the proceeds derived from such payments and placed in the sinking fund or funds of such district shall be invested as in this Chapter provided for, and in any district heretofore formed, where the lien of said bonds has not been so apportioned and equalized, the commissioners of such district, by and with the consent in writing of all the owners and holders of the then outstanding bonds of said district, shall proceed to spread the lien of its outstanding bond issue or issues in accordance with this section.

For the purpose of so distributing the lien of such debt, the commissioners of the district shall cause an accurate survey of the lands embraced therein, showing the acreage actually irrigable from its works, to be made by a competent and qualified engineer, and an accurate and ample map of said lands, upon a proper and sufficient scale, to be made therefrom, and the assessments by them made shall be plainly noted thereon, and one copy thereof, certified by the board of commissioners, filed in the office of the County Treasurer, and one kept on file in the office of the Secretary of the Board of Commissioners, and the resolution for the issuance of said bonds, and the levy of the tax and special assessment provided for in this Chapter, or the resolution for the spreading of such assessment, where bonds have heretofore been issued, shall specifically schedule and set forth the apportionment of the lien of said bond issue on each and every forty-acre tract, and every separately owned subdivision thereof, within said district, and on the proceedings for the confirmation of said bond issue, and the special tax or assessment by said resolution provided for, all and every owner shall, if dissatisfied therewith, be entitled to appear in such proceedings in the manner provided for by Section 41 of this Chapter, and contest the same, and upon such hearing, the district court shall equalize the assessments and apportionments so made, and the decree confirming said bonds and said special tax or assessments, or the spreading of the lien of any bond issue heretofore made, shall be final as to the equalization and distribution of the same, as in Section 41 of this Chapter heretofore provided for.

In any district heretofore formed, where, with the consent of the bond holders, the commissioners thereof desire to avail themselves of the provisions of this Section, the Board of Commissioners shall proceed to have made the surveys herein provided for, and to them, by proper resolutions upon their journal, distribute, spread and equalize the lien of their debts as herein provided for, and upon so doing, they shall petition the district court for the confirmation thereof, as in Section 41 of this Chapter provided for, in all respects in the same manner and upon the same notice as for the confirmation of their proceedings for the issuance of bonds and the levy of a special tax or assessment, as in this Act provided for, in the first instance, filing with their said proceedings in said court the consent in writing of all of the owners and holders of the bonds of their district to the apportionment thereof as made, and the owners and holders of bonds so consenting to said proceedings shall be entitled to appear at the proceedings for the confirmation thereof, and be heard as to any changes made in the original resolution of the commissioners, and the decree of the district court entered thereon shall be final and conclusive upon all the persons in said district and the bond holders thereof, as in Section 41 of this Chapter provided for.

Section 9. That Section 47 of Chapter 146, Montana Session Laws (1909), is hereby amended to read as follows, to-wit:

Section 47. (Added Lands to Pay Proportional Share of Bonded Indebtedness). Where a district is extended after the construction of works of irrigation to include other irrigable lands, such included lands shall be chargeable with such proportion of the bonded indebtedness incurred or authorized to be incurred by the district, and such proportion of the indebtedness incurred under any contract between the district and the United States, accompanying which bonds of the district have not been deposited with the United States, as in Section 9 provided, as the district court shall order, as provided in Section 24 of this Act; and the Board of Commissioners of the district shall provide for the levy of a special tax or assessment against such included lands on account of said bonds and the interest thereon; and on account of any payments under any contract be-



tween the district and the United States, accompanying which bonds of the district have not been deposited with the United States, as in Section 9 provided; and said special tax or assessment shall be levied and collected as and in the manner as the special tax or assessment against the lands of the original district on account of the payments under any contract between the district and the United States, accompanying which bonds of the district have not been deposited with the United States, as in Section 9 provided, and on account of said bonds and the interest thereon is provided for, levied and collected; and upon the extending of any such district, the total of said bond indebtedness, or indebtedness due to the United States, shall be re-apportioned, spread and equalized upon and over the entire area thereof, as provided in Section 43 of this Chapter; and if any tract or tracts of land shall have fully paid the original amount assessed against the same, and on the extension of any district, the amount assessed against said tract or tracts shall be less than the amount paid, the excess paid shall be refunded to the owner or owners thereof.

Report adopted.

Davis, from the Committee on Agriculture, reported as follows:

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 159, introduced by Slayton, a Bill for an Act entitled, "An Act to amend Section 4535 of the Revised Codes of Montana of 1907, relating to monuments and fences and the duty of co-terminous owners with reference to the maintaining of the same," report same back to the House with the recommendation that it be concurred in.

Report adopted.

Davis, from the Committee on Agriculture, reported as follows:

Mr. Speaker: We, your Committee on Agriculture, having had under consideration Senate Bill No. 21, introduced by Morris, a Bill for an Act entitled, "An Act providing for the creation of herd districts; prescribing the manner of the creation thereof, and prohibiting the running of livestock at large therein; providing for fencing said districts and the erection and maintenance thereof, and providing a penalty for the violation of same," report same back to the House with the recommendation that it do pass.

Davis: I move the adoption of the report.

Anderson (Oscar W.): As a substitute, I move that S. B. No. 21 do not pass.

Motion carried and report not adopted.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 445, introduced by Committee on Appropriations, being a Bill for an Act entitled, "An Act to appropriate money for the purpose of paying the claims of cities against the firemen's disability fund, which claims were approved by the State Board of Examiners," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 352, introduced by Mason, being a Bill for an Act entitled, "An Act relating to the State Board of Equalization, defining its powers and prescribing its duties, making an appropriation therefor, and repealing Sections 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591 and 2592 of the Revised Codes of Montana, 1907," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 153, by Smith, a Bill for an Act entitled, "An Act to provide for the construction of industrial spurs from railroads, and to give the Board of Railroad Commissioners of the State of Montana power and authority with reference thereto," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it be amended as follows:

Change the word "three" before the word "miles," the last word in next to the last line of Section 1, to "two," so that same will read "two miles," and as amended, it be concurred in.

Report adopted.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 441, 430, 431, 357, 440, beg leave to report same back correctly printed.

Report adopted.

Larse, from the Committee on Railroads and Transportation, reported as follows:

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration House Bill No. 420, introduced by Sektan, and House Bill No. 379, introduced by Arneson, respectfully beg leave to report as follows: These Bills do not pass.

Report adopted.

Larse, from the Committee on Railroads and Transportation, reported as follows:

Mr. Speaker: We, your Committee on Railroads and Transportation, having had under consideration Senate Bill No. 181, by Ellingson, a Bill for an Act entitled, "An Act to amend Section 4349 of the Revised Codes of the State of Montana, relating to passenger fares for traveling upon railway trains," respectfully beg leave to report as follows: That this Bill be not concurred in.

Report adopted.

#### INTRODUCTION AND SECOND READING OF BILLS.

McMahon and Murray were granted unanimous consent to introduce Bills without previous notice.

H. B. No. 448, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act appropriating money for the maintenance of the executive and judicial departments of the State government for two years, commencing March 1st, 1917, and ending February 28th, 1919." Read first and second time at length and referred to Appropriations Committee.

H. B. No. 449, introduced by Murray: A Bill for an Act entitled, "An Act regulating and limiting the hours of employment for female employees and governing the conditions under which female employees shall work in certain industries and providing penalties for violation thereof." Read first and second time and referred to Labor Committee.

The Labor Committee was excused by Mr. Speaker and withdrew from the floor of the House.

#### MOTIONS AND RESOLUTIONS.

Working: I move that all Senate Bills now reported for concurrence and those that may hereafter be reported for concurrence, be placed upon General Orders for the disposition of the House.

Motion carried.

Gould: I move that appropriation Bills and revenue Bills be given right of way over all other Bills now in the hands of all Committees, and in all deliberations of the House of Representatives.

Motion carried.

#### CONSIDERATION OF MESSAGES FROM THE GOVERNOR.

The following communication was received from His Excellency, the Governor:

Executive Office, February 21, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise you that I have this day approved House Bill No. 153, "An Act authorizing cities and towns to regulate motor vehicles and to prescribe penalties for violation of such regulations."

S. V. STEWART, Governor.

## THIRD READING OF HOUSE BILLS.

H. B. No. 311, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Baldwin, Ball, Booth, Buell of Missoula, Buchanan, Cotter, Demel, Dodds, Duffy, Eaton, Gould, Griffin, Grimes, Gullidge, Harmon, Hawks, Henderson, Higgins, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McQuarrie, Mason, Morris, Morrow, O'Brien, Page, Prosser, Quaintance, Scott, Shaw, Stimpert, Ward, Weil, Wheat, White, Working—51.

Noes: Brooks, Kelsey—2.

Absent and not voting: Anderson (Oscar W.), Andrew, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Buell of Gallatin, Burnworth, Caril, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Eliel, Farmer, Fishbaugh, Fuller, Harbert, Hathaway, Henry, Holt, Huffaker, Husser, Johnston of Ravalli, Kehoe, McMahon, McMillan, Middleton, Murray, Phelps, Rainey, Rasmussen, Sand, Searles, Sektnan, Spain; Mr. Speaker present but not voting—42.

Title agreed to and Bill transmitted to Senate for concurrence.

Baxter: I move that the House do now resolve itself into a Committee of the Whole for the consideration of General Orders and that debate be limited to ten minutes on any one Bill.

Motion carried.

## GENERAL ORDERS.

Bent in the Chair.

House resumed.

Mr. Speaker in the Chair.

Bent, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 349, by Gould, entitled, "An Act providing a method for the assessment and collection of a license fee on express companies doing business in this State," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 351, by Gould, entitled, "An Act providing a method for the assessment and collection of a license fee on private car companies doing business in this State," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 388, by White, entitled, "An Act to amend Section 4213 of the Revised Codes of 1907, relating to the certificate of incorporation of co-operative associations, and the fee for the Secretary of State for issuing such certificate," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 389, by White, entitled, "An Act to amend Section 3850 of the Revised Codes of 1907, as amended by Chapter 140 of the Session Laws of the Eleventh Legislative Assembly, relating to the filing of annual statements by corporations," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 413, by Cutts, entitled, "An Act to provide a budget system for the control of all expenditures of State moneys," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 390, by White, entitled, "An Act to amend Section 165 of the Revised Codes of 1907, relating to the fees of the Secretary of State," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 418, by O'Brien, entitled, "An Act to amend Sections 1 and 2 of Chapter 59 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, and fixing the time for the opening and closing of saloons in the counties of the first class in the State of Montana," report same back to the House with the recommendation that the enacting clause be stricken out.

Also, having had under consideration H. B. No. 99, by Henderson, entitled, "An Act to amend Section 13 of Chapter 122 of the Session Laws of the Four-

teenth Legislative Assembly, relating to the registration of electors and change of voting precinct," report same back to the House with the recommendation that it do pass.

Also, having had under consideration H. B. No. 394, by Arneson, entitled, "An Act relating to school teachers giving school boards notice of resignation and providing for penalties for violation thereof," report same back to the House with the recommendation that same be amended as follows, to-wit:

Amend Section 1 by striking out in line 3 the word "thirty" and inserting in lieu thereof the word "ten";

Amend Section 1 by striking out in line 1 the words "this State" and inserting in lieu thereof the words "the State of Montana, teaching in schools of more than one department";

Amend Section 3 by striking out in line 12 the word "Bill" and inserting in lieu thereof the word "Act" and adding "its passage and approval"; and, as amended, the same do pass.

Also, having had under consideration S. B. No. 166, by Committee on Counties and Towns, entitled, "An Act for the creation and maintenance of a bureau of criminal identification for the purpose of bringing about co-operation among County Attorneys, Sheriffs and Police Officers to the end that the number of criminal cases prosecuted by the State may be reduced, habitual criminals more certainly identified and fugitives from justice apprehended; also providing for a special fund for the maintenance of said bureau, also fixing the salaries and duties of the officers thereof," report same back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 147, by Williams and Gnose, entitled, "An Act providing that the name of any county within this State may be changed, and providing a method whereby such change may be accomplished," report same back with the recommendation that it be concurred in.

Report adopted.

Gould: I move that House Bills Nos. 349 and 351 be considered correctly engrossed and placed on Third Reading.

Motion lost.

On motion of Cutts, House recessed until 1:30 P. M.

#### AFTERNOON SESSION.

House reassembled at 1:30 P. M.

Speaker pro tem in the Chair.

Lusk excused.

On motion of Murray, House reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 98, 89 and 137, beg leave to report same back as correctly enrolled.

Report adopted.

McMahon, from the Sifting Committee, reported as follows:

Mr. Speaker: We, your Sifting Committee, recommend that the following Senate Bills be placed on General Orders: Senate Bills Nos. 166, 147, 142, 167, 170, 110, 171, 6, 138, 66, 161, 179, Senate Joint Memorials Nos. 3 and 4.

Report adopted.

Murray, from the Committee on Labor, reported as follows:

Mr. Speaker: Your Committee on Labor, having had under consideration House Bill No. 449, introduced by Murray, a Bill for an Act entitled, "An Act regulating and limiting the hours of employment for female employees and governing the conditions under which female employees shall work in certain industries, and providing penalties for violation thereof," respectfully beg leave to report same back to the House with the recommendation that it do pass.

Report adopted.

Hurd, from the Committee on Printing, reported as follows:



Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 433, 442, 343, 235, 424, Senate Bill No. 85, and Sub. Senate Bill 62, beg leave to report same back correctly printed.

Report adopted.

Kehoe, from the Committee on Ways and Means, reported as follows:

Mr. Speaker: Your Committee on Ways and Means, to whom was referred House Bill No. 447, entitled, "An Act authorizing the State of Montana to become indebted in excess of the Constitutional limit, and to provide for the issuance of bonds in the name of the State of Montana, as evidence of such indebtedness, for the construction of necessary buildings for the State University, the College of Agriculture and Mechanic Arts, the State Normal College, the State School of Mines and any other State Institutions under the control of the State Board of Education, beg leave to report as follows: That the Bill be reported back with the recommendation that it be printed and placed on General Orders.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, after having had under consideration Senate Bill No. 99, by Whiteside, entitled, "An Act to permit co-operative associations organized under the laws of the State of Montana to consolidate their interests and capital stock, and designating the procedure to be followed to effect such consolidations," beg leave to report as follows: That the same be reported back to the House with the recommendation that it be concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 148, by Edwards, a Bill for an Act entitled, "An Act to authorize the attorney general to designate an assistant attorney general, who shall have authority to do and perform certain matters and things required or which may be done by the attorney general," respectfully beg leave to report as follows: That said Bill be reported back to the House with the recommendation that it be concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 444, by Lewis, a Bill for an Act entitled, "An Act to consolidate the office of Secretary of the State Fair with that of the office of Commissioner of Agriculture and Publicity, providing for the work of the Secretary of the State Fair being performed by the Commissioner of Agriculture and Publicity, providing for the employment of the necessary assistants for the performance of such work and repealing all Acts in conflict therewith," respectfully beg leave to report as follows: That said Bill be reported back to the House with the recommendation that it do not pass.

Mason: I move the adoption of the report.

Lewis: As a substitute, I move that H. B. No. 444 be printed and placed on General Orders.

Motion lost and report of Committee adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration H. B. No. 409, by Belden, a Bill for an Act entitled, "An Act construing, interpreting and settling ambiguities or doubt arising from the provisions of Section 4044, Revised Codes of Montana, 1907, relating to the amount of capital stock of insurance corporations other than life insurance corporations etc., etc.," respectfully beg leave to report as follows: That said Bill be reported back to the House with the recommendation that it do pass.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, after having had under consideration Senate Bill No. 101, by Morris, entitled, "An Act regulating the forwarding of negotiable instruments for collection," beg leave to report as fol-

lows: That the same be reported back to the House with the recommendation that it be concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, after having had under consideration House Bill No. 429, by Judiciary Committee, entitled, "An Act authorizing the appointment of a stenographer for county attorneys in counties of the first, second, third, fourth, fifth and sixth classes," beg leave to report as follows: That the same be reported back to the House with the recommendation that the same do pass.

Mason: I move the adoption of the report.

Carll: As a substitute, I move that report of Committee on H. B. No. 429 be not adopted.

Motion carried and report not adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, after having had under consideration Senate Bill No. 195, by Williams, entitled, "An Act to amend Section 3894 of the Revised Codes of Montana of 1907, relating to the decrease or increase of the capital stock of corporations, the creation or increase of the bonded indebtedness of corporations, or the extensions or changes in the business of corporations, and the manner whereby such changes may be accomplished," beg leave to report as follows: That the same be reported back to the House with the recommendation that it be concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 188, by Roberts, a Bill for an Act entitled, "An Act amending Section 459 of the Revised Codes of Montana, 1907, fixing the compensation of boards of election," respectfully beg leave to report as follows: That said Bill be reported back to the House with the recommendation that it be concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 122, by Fishbeck, a Bill for an Act entitled, "An Act concerning county auditors, prescribing and enlarging their duties and powers, and transferring certain fiscal duties now performed by the county clerk to the office of county auditor; to provide for the appointment of deputy auditors in counties except 6th, 7th and 8th classes, and fixing their compensation; prescribing certain duties of the State Examiner and the Board of County Commissioners in relation thereto; to amend Sections 2611, 2613, 2621, 2623, 2626, 2627, 2628, 2634, 2664, 2665, 2666, 2674, 2675, 2696, 2697, 2709, 2710, 2711, 2712, 2717, 2718, 2719, 2721, 2722, 2723, 2746, 2747, 2748, 2753, 2768, 2987, 2996, 3007, 3100, 3104, 3108, 3179 and 3184 and to repeal Sub-Section 4 of Section 3045 and Sub-Sections 1, 2, 3, 4, 5 and 6 of Section 2953 of the Revised Codes of Montana, 1907," respectfully beg leave to report as follows: That said Bill be reported back to the House with the recommendation that it be not concurred in.

Gould: I move that House Bills Nos. 349, 351, 388, 389, 413, 390, 99, 394, be considered correctly engrossed and placed on Third Reading.

Motion carried.

On motion of McMahon, House reverted to Fourth Order of Business.

## REPORTS OF STANDING COMMITTEES.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 448, introduced by Committee on Appropriations, being a Bill for an Act entitled, "An Act appropriating money for the maintenance of the executive and judicial departments of the State government for two years, commencing March 1st, 1917, and ending February 28th, 1919," after having said

Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted.

On motion of Lanstrum, House resolved itself into a Committee of the Whole for the consideration of General Orders.

### GENERAL ORDERS.

Blodgett in the Chair.

House resumed.

Speaker pro tem in the Chair.

Blodgett, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 142, Sub. for S. B. Nos. 100 and 125, by Gnose, entitled, "An Act to establish and create a general fish and game law for the State of Montana; to codify and arrange all of said laws now in force relating to fish and game which are not repealed or amended hereby and re-enacting such laws as are not in conflict herewith, to amend an Act approved March 9th, 1909, relating to hunting and fishing licenses; and repealing Chapter 81 of the Laws of 1909, relating to the killing of certain animals; to amend an Act approved February 25th, 1913, relating to licenses and the time for the expiration thereof; and also to amend an Act approved March 13th, 1913, relating to game fish, known as Chapter 79 of the Laws of 1913; to amend an Act approved March 15th, 1913, authorizing the sale of game and game birds, known as Chapter 100 of the Laws of 1913; and also to amend an Act approved March 3rd, 1915, concerning fish nets, known as Chapter 60 of the Laws of 1915; to amend an Act approved March 5th, 1915, known as Chapter 76 of the Laws of 1915, relating to elk, Rocky Mountain sheep and goats; to amend an Act approved March 8th, 1915, and known as Chapter 107 of the Laws of 1915, relating to fish and game; to amend a law approved March 8th, 1915, known as Chapter 98 of the Laws of 1915, relating to a closed season for all game; to amend a law approved March 8th, 1915, known as Chapter 109 of the Laws of 1915, relating to the use of explosives or poisons for the purpose of catching fish; to amend an Act approved March 9th, 1915, known as Chapter 138 of the Laws of 1915, relating to the payment of costs in the prosecution of criminal cases under the game and fish laws; and also for the purpose of amending and re-enacting so much of the game and fish laws found in the Revised Codes of Montana, 1907, as may be found in Sections 8786 and 8789, inclusive; to enact a law relating to the trapping of beaver; relating to the appointment of deputy game wardens under civil service rules, relating to the installation of fish wheels in ditches at the expense of the State, relating to the killing and trapping of bear, and to provide a closed season therefor, to establish a closed season on grouse, prairie chicken, sage hens, fool hens, pheasants or partridges, to establish and provide for the management of fish and game preserves in the State of Montana," report same back with the recommendation that same be amended as follows, to-wit:

Amend Section 1, page 3, by striking out the lines 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28, and inserting the following: "(1) A Class 'A' license may be issued to a person who is a bona fide resident citizen of this State, and who desires to hunt, take, kill, catch and have in his possession any of the fish, game, birds and wild animals of this State, except coyotes, wolves and mountain lions, upon the payment of one dollar and fifty cents (\$1.50). The intention of this license is to be a general resident hunting and fishing license."

Amend Section 1, in line 28, by adding thereto the following: "And that one-third of such amount shall be used under the direction of the State Game Warden for propagation of game birds and animals in the State of Montana."

Amend line 42 by inserting after the word "person" the following words: "except persons who have declared their intention to become citizens of the United States and who own real estate or who have made a bona fide homestead filing on not less than forty acres of land under the United States homestead laws."

Amend Section 5 by adding after the word "officer" in line 99, the following: "except as otherwise herein provided."

Amend Section 19 by adding black bass and Dolly Varden trout to the list of game fish.

Amend Section 22 by striking out in lines 253, 254 and 255 the following words: "Ashley Lake, Flathead Lake, Whitefish Lake, Swan Lake, Dicky Lake, Smith Lake, and the upper and lower Stillwater Lakes in Flathead County; Thompson Lake, Loon Lake, McGregor Lake, in Lincoln County."

Amend Section 22 by striking out in line 252 the word "unlawful" and inserting in lieu thereof the word "lawful."

Amend Section 22, page 13, by inserting between lines 251 and 252 the following: "It shall be, however, lawful to use a seine in the Missouri river and also in the Yellowstone river, except in that portion of said river above its confluence with the Big Horn river; provided, said seine has a mesh not less than one and one-half inches square."

Amend line 252 by inserting the word "also" after the word "shall."

Amend Section 22 by striking out in lines 257 and 258 the words "Bull trout, Char or Dolly Varden trout."

Amend Section 30 by striking out in line 385 the words "first day of December" and inserting in lieu thereof the words "fifteenth day of December."

Amend Section 30 by adding in line 388 after the word "elk" the words "or who wilfully leaves that portion of an elk suitable for food, after removing the head or teeth thereof."

Amend Section 30 by inserting after the word "elk," line 388, the following words: "Provided, however, that upon application to the State Game Warden a special permit may be granted to kill not more than two elk in the counties of Park and Gallatin, and the license therefor shall be twenty-five (\$25.00) dollars in addition to the license as provided in this Act."

Amend Section 31 by adding at the end thereof, in line 405 of the printed Bill, the following words: "also so much of the county of Beaverhead as lies west of the main line of the Oregon Short Line railroad."

Amend Section 31 by adding in line 397, the word "Ravalli" after the word "Beaverhead."

Amend Section 32, line 406, by striking out the words "first day of December" and inserting in lieu thereof the words "fifteenth day of November."

Amend Section 32 by striking out in line 410 the words "and such deer shall be a male deer with visible horns."

Amend Section 32 by adding after the word "Rosebud" in Senate amendment, the word "Custer."

Amend Section 32 by adding in line 411, after the word "accordingly," the following: "providing that the season for hunting under the provisions of this Section will close in Flathead and Lincoln counties on the first day of December of any year."

Amend Section 84, paragraph 7, by inserting in line 859, after the words "Powder River," the following: "to the junction of Cache Creek therewith, thence up the channel of said Cache Creek and the north fork thereof to the divide or water shed between Powder River and Tongue River, and thence south along said water shed."

Amend Section 84 by striking out in line 839 the word "North."

Amend Section 85 by inserting the following after line 925: "And it shall also be lawful for a man who has captured wild animals or birds, to sell same to any one in Montana, who proposes to raise such wild animals or birds; provided, however, that before any such sale is made, the State Game Warden must issue a permit in writing, agreeing to such transaction, and that such permit for each sale of wild animals shall require a fee of five (\$5.00) dollars, and that, as amended, same be concurred in.

Also, having had under consideration S. B. No. 167, by Committee on Roads and Highways, entitled, "An Act to establish a State Highway Commission, defining its powers and duties, and providing for a State Highway Commission Fund, and appropriating money therefor; providing for obtaining the benefits of federal aid under the Act of Congress approved July 11, 1916, and repealing Chapter 78 of the Session Laws of the Thirteenth Legislative Assembly of the State



of Montana," report same back with the recommendation that same be amended as follows, to-wit:

Amend Section 10 by striking out in line 167 the word "appropriation" and inserting in lieu thereof the word "accounting," and that, as amended, it be concurred in.

Also, having had under consideration S. B. No. 170, by Committee on Highways, entitled, "An Act to amend Chapters I, II, III and IV of Chapter 14<sup>1</sup> of the Laws of the Fourteenth Legislative Assembly, the same being known as the General Highway Law, relating to the classification and permanent improvement of public highways; and to add a chapter thereto to be known as Chapter XII, providing for special improvements on roads and highways in certain districts," report same back with the recommendation that it be concurred in.

Report adopted.

On motion of Husser, House reverted to Third Order of Business.

### REPORTS OF SELECT COMMITTEES.

Husser, from the Conference Committee on House amendments to Senate Bill No. 10, reported as follows:

Mr. Speaker: We, your Conference Committee, appointed to confer with the Senate Committee on House amendments to Senate Bill No. 10, which amendments were not concurred in by the Senate, beg leave to report as follows: That we recommend withdrawing House amendment offered, and that the House do concur in Senate Bill No. 10 as originally presented to the House.

Report adopted.

The following majority report was received:

Mr. Speaker: We, a majority of your Sub-Committee appointed by the Speaker under the recommendation of the Committee on Rules, Joint Rules and Order of Business, in reference to a certain bulletin circulated by the Anti-Saloon League throughout the city under date of February 17th, beg leave to report and recommend as follows:

Your Committee ascertained that the circular in question bearing the caption "Legislative Trading" was written and circulated by one Joseph Pope, currently rumored a salaried lobbyist for the Anti-Saloon League of Montana, and one of the officers and prime movers in the "invisible government" so much discussed during the present session.

These "bulletins," as they are called, embody a specific constitutional bribery charge against certain members of this Legislative Assembly, which, if sustained, would subject all members who decline to vote as Mr. Pope dictates, or who will not subscribe to his threats, intimidations and coercions, to expulsion from this Assembly and any further penalties prescribed by the civil courts under Section 41 of Article V of the Constitution of the State.

Mr. Pope, accompanied by one of Montana's most talented attorneys, appeared before your Committee, February 22nd, and under the statutory oath stated that he had no facts or names to present in substantiation of his charges, contenting himself with a reiteration of the statement that it was common knowledge throughout the Placer hotel and the corridors of the Capitol that Legislative vote trading bribery was being indulged in by members. Dame Rumor was the star witness of the proceedings.

The past records of the State indicate that Mr. Pope was a member of the Thirteenth Assembly. As such, he was identified with certain constitutional bribery charges and was fully cognizant of the gravity of his reflections and comment upon the members of this House.

He has since been accorded the courtesies and privileges of the floor of this House, which privileges he has abused in a manner unbecoming a gentleman and an ex-member of this House.

It is our deliberate judgment that his pernicious activities as a lobbyist during this session have done more to retard the moral uplift movement of the State than any other single agency, but, believing his actions in these premises, however unbecoming in one of his professed faith, to be beneath the contempt or further notice of this House of Representatives, we recommend that this expression of censure and condemnation be spread upon the Journal in evidence of the sentiment

of members of this Assembly as regards such attempted interferences with the law making functions of the State.

(Signed) JOE H. DUFFY,  
S. C. ASHBY, JR.

The following minority report was received:

Mr. Speaker: Your Committee to whom was referred the matter of the charge contained in the Anti-Saloon League Bulletin of February 17, beg leave to report that we summoned Joseph Pope to appear before the Committee and in answer to our inquiry, we learned that the charges, as stated in the bulletin, were based upon current rumor and that the author believed the aforesaid rumors at the time they were promulgated, and still believes them to be true; we your Committee therefore recommend that the entire matter be dismissed without further consideration, and all proceedings had thereunder be stricken from the Journal.

(Signed) WALTER D. KEMMIS, Chairman.

Ashby: I move the adoption of the majority report.

Kemmis: As a substitute, I move the adoption of the minority report.

On motion of Murray, seconded by fifteen members, a call of the House was ordered. The following members were found to be absent: Belden, Bent, Bernard, Brooks, Crowley, Davis, Deibel, Demel, Eliel, Fuller, Griffin, Higgins, Holt, Hurd, Jones, Lanstrum, Lusk, McMillan, Phelps, Rainey, Sand, Stimpert, White. The following members appeared upon the floor of the House: Belden, Bent, Brooks, Davis, Deibel, Demel, Eliel, Griffin, Jones, Lanstrum, and Rainey.

Andersen (Charles): I move that further call of the House be suspended.

Ashby: As a substitute, I move that call of the House be continued for ten minutes.

Substitute motion carried.

At the expiration of the specified time, on motion of Murray, call of the House was suspended.

On motion of Carll, seconded by Page, the previous question was ordered.

Belden: I move that both the minority and majority reports on this matter be recommitted to the Judiciary Committee.

Roll call demanded and motion to recomimt carried by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Baxter, Belden, Bent, Blake, Blodgett, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Clark, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Griffin, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Ingalls, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McQuarrie, Mason, Morrow, Murray, O'Brien, Rainey, Rasmussen, Scott, Sektnan, Spain, Weil, Wheat, Working, Speaker protem—57.

Noes: Ashby, Burnworth, Connolly, Cutts, Farmer, Gould, Grimes, Hufaker, Husser, Ironside, Jensen, Jones, Kelsey, McClory, McMahon, Middleton, Morris, Page, Prosser, Quaintance, Searles, Shaw, Ward—23.

Absent and not voting: Bernard, Booth, Crowley, Fuller, Hawks, Higgins, Holt, Hurd, Lusk, McMillan, Phelps, Sand, Stimpert, White; Mr. Speaker—15.

On motion of McMahon, House reverted to Fifth Order of Business.

## INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 450, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act appropriating money for the maintenance and betterment of the several State institutions of Montana for two years, commencing March 1st, 1917, and ending February 28th, 1919." Read first and second time at length and referred to Committee on Appropriations.

H. J. R. No. 9, introduced by Eliel: "A Resolution conveying the gratitude of the Fifteenth Legislative Assembly to the Honorable Martin Barrett, of Beaverhead County, one of a group of members of the Eleventh Territorial Legislative Assembly, for valuable service rendered in preventing the granting of subsidies to railroads building into the Territory of Montana in the year 1879, thereby relieving the present generation of a burden of debt and taxation." Read first and second time and referred to Printing Committee.

On motion of McMahon, House reverted to Fourth Order of Business.

## REPORTS OF STANDING COMMITTEES.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 450, introduced by Committee on Appropriations, being a Bill for an Act entitled, "An Act appropriating money for the maintenance and betterment of the several State institutions of Montana for two years, commencing March 1st, 1917, and ending February 28th, 1919," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted.

On motion of Gould, House reverted to Ninth Order of Business.

## THIRD READING OF HOUSE BILLS.

H. B. No. 349, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Blake, Blodgett, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Cotter, Crismas, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Huffaker, Husser, Jensen, Johnson of Deer Lodge, Jones, Kelsey, Kemmis, Larse, Lemmon, Lewis, McDonald, McMahon, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Prosser, Rasmussen, Scott, Searles, Spain, Weil, Working, Speaker pro tem—61.

Noes: None.

Absent and not voting: Bent, Bernard, Booth, Brooks, Clark, Connolly, Crowley, Harmon, Henry, Hurd, Johnston of Ravalli, Lusk, McClory, McMillan, Farmer, Fishbaugh, Fuller, Higgins, Holt, Ingalls, Ironside, Lanstrum, Morris, Phelps, Quaintance, Rainey, Sand, Sektnan, Shaw, Stimpert, Ward, Wheat, White, Mr. Speaker—34.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 351, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Cotter, Crismas, Cutts, Davis, Deibel, Duffy, Eaton, Eliel, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Huffaker, Husser, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Kemmis, Larse, Lemmon, Lewis, McMahon, McQuarrie, Mason, Morris, Morrow, Murray, O'Brien, Page, Prosser, Rasmussen, Scott, Searles, Spain, Weil, Working, Speaker pro tem—60.

Noes: None.

Absent and not voting: Bernard, Blake, Blodgett, Booth, Brooks, Clark, Connolly, Crowley, Demel, Dodds, Farmer, Fishbaugh, Fuller, Harmon, Higgins, Holt, Hurd, Ironside, Lanstrum, Lusk, McClory, McDonald, McMillan, Middleton, Phelps, Quaintance, Rainey, Sand, Sektnan, Shaw, Stimpert, Ward, Wheat, White, Mr. Speaker—35.

Title agreed to and Bill transmitted to Senate for concurrence.

McQuarrie: I move that the House request the Senate to return to the House for amendment, House Bill No. 164, a Bill for an Act entitled, "An Act to provide for the letting of contracts for public printing, fixing the prices therefor, providing a penalty for violation of this Act, and to repeal Section 2897 of the Revised Codes of the State of Montana for 1907.

Motion carried.

McMahon: I move that the State Auditor be instructed to draw warrants in the sum of \$5.20 on the incidental expense fund of the Fifteenth Legislative Assembly in favor of each of the following members: B. C. White, N. H. Fuller, C. A. Searles, John Shaw, H. N. Blake, John Rainey, O. W. Belden, Frank Murray, T. M. Kehoe, for the purpose of defraying the expense of railroad fare incurred by the said members of the Select Committee of the House, appointed to attend the funeral of our late member, the Hon. Jere J. Flanigan, and the State

Treasurer be authorized to pay the same, and further that a vote of thanks be extended to Hon. James T. Finlen of the Finlen Hotel of Butte for his hospitable, courteous and generous treatment of the House Committee on the above mentioned occasion.

Motion carried.

On motion of Murray, House adjourned until 10:00 A. M., Monday, February 26, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## FIFTY-SEVENTH DAY

Monday, February 26, 1917.

House met at 10:00 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present. Fuller and Stimpert excused.

Ironside, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Journal Committee beg leave to report that they have examined the Journal of the fifty-fifth day and find the same to be correct.

Report adopted.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 97 and 250, beg leave to report the same back as correctly enrolled.

Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 89, 97, 98, 137 and 250, and signed same in the presence of the House.

### MOTIONS AND RESOLUTIONS.

Working: I move that the vote by which the report on S. B. No. 122 was adopted be reconsidered.

Motion carried.

Working: I move that S. B. No. 122 be placed upon General Orders.

Motion carried.

### THIRD READING OF SENATE BILLS.

S. B. No. 147, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Belden, Blake, Brooks, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Crowley, Cutts, Deibel, Demel, Farmer, Griffin, Grimes, Gullidge, Harmon, Hathaway, Henderson, Henry, Huffaker, Husser, Ironside, Johnson of Deer Lodge, Jones, Kehoe, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMillan, Middleton, Morrow, Scott, Searles, Shaw, Spain, Weil, Working—46.

Noes: Ashby, Bent, Buell of Missoula, Carl, Crismas, Dodds, Gould, Hawks, Jensen, Johnston of Ravalli, Kelsey, McQuarrie, Morris, Murray, Prosser, Quaintance, Rainey, Rasmussen, Sand, Sektnan, Wheat—21.

Absent and not voting: Baxter, Bernard, Blodgett, Booth, Cotter, Davis, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Harbert, Higgins, Holt, Hurd, Ingalls, Kemmis, Lusk, McClory, McMahon, Mason, O'Brien, Page, Phelps, Stimpert, Ward, White; Mr. Speaker present but not voting—28.

Title agreed to and Bill returned to Senate for concurrence in House amendments.

S. B. No. 166, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby,



Baldwin, Ball, Belden, Bent, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Connolly, Crismas, Crowley, Cutts, Deibel, Demel, Farmer, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Huffaker, Husser, Ironside, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMillan, McQuarrie, Middleton, Morris, Morrow, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Weil, Wheat, Working—61.

Noes: Blake, Burnworth, Clark, Davis, Dodds, Jensen, Johnson of Deer Lodge, Murray—8.

Absent and not voting: Baxter, Bernard, Blodgett, Cotter, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Hathaway, Higgins, Holt, Hurd, Ingalls, Kemmis, Lusk, McClory, McMahon, Mason, O'Brien, Page, Phelps, Stimpert, Ward, White; Mr. Speaker present but not voting—26.

Title agreed to and Bill returned to Senate.

S. B. No. 167, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Blake, Booth, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Huffaker, Husser, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Weil, Wheat, White, Working—67.

Noes: None.

Absent and not voting: Baxter, Belden, Bernard, Blodgett, Buell of Missoula, Cotter, Cutts, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Hathaway, Higgins, Holt, Hurd, Ingalls, Ironside, Kemmis, McClory, McMahon, Mason, O'Brien, Phelps, Stimpert, Ward; Mr. Speaker present but not voting—28.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 170, having been read three several times, was concurred in by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Weil, Working—69.

Noes: Rainey—1.

Absent and not voting: Anderson (Charles), Baxter, Belden, Bernard, Blodgett, Cotter, Cutts, Fishbaugh, Fuller, Higgins, Holt, Ingalls, Jones, Kemmis, McClory, McDonald, McMahon, Mason, O'Brien, Phelps, Stimpert, Ward, Wheat, White; Mr. Speaker present but not voting—25.

Title agreed to and Bill returned to Senate.

### THIRD READING OF HOUSE BILLS.

H. B. No. 388, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Lanstrum, Lemmon, Lewis,

Lusk, McMillan, Middleton, Morris, Morrow, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Weil—62.

Noes: None.

Absent and not voting: Andersen (Charles), Baxter, Belden, Bernard, Blodgett, Cotter, Farmer, Fishbaugh, Fuller, Higgins, Holt, Ingalls, Jones, Kehoe, Kemmis, Larse, McClory, McDonald, McMahon, McQuarrie, Mason, Murray, O'Brien, Phelps, Sektnan, Shaw, Spain, Stimpert, Ward, Wheat, White, Working; Mr. Speaker present but not voting—33.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 389, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMillan, McQuarrie, Middleton, Morris, Morrow, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Weil, Working—66.

Noes: None.

Absent and not voting: Baxter, Belden, Bernard, Blodgett, Cotter, Crismas, Fishbaugh, Fuller, Gould, Henderson, Higgins, Holt, Ingalls, Jones, Kemmis, McClory, McMahon, Mason, Murray, O'Brien, Phelps, Sektnan, Shaw, Spain, Stimpert, Ward, Wheat, White; Mr. Speaker present but not voting—29.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 99, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Ward, Working—70.

Noes: None.

Absent and not voting: Ashby, Baxter, Belden, Bernard, Blodgett, Cotter, Crismas, Farmer, Fishbaugh, Fuller, Higgins, Ingalls, Kemmis, McClory, McDonald, McMahon, McMillan, Mason, Phelps, Rainey, Stimpert, Weil, Wheat, White; Mr. Speaker present but not voting—25.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 394, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Clark, Davis, Deibel, Gould, Griffin, Gullidge, Harbert, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Jensen, Jones, Kelsey, Lanstrum, Larse, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Morris, Morrow, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Spain, Wheat—44.

Noes: Andrew, Ashby, Ball, Bent, Blake, Buell of Gallatin, Carll, Connolly, Crismas, Crowley, Cutts, Demel, Dodds, Duffy, Eaton, Eliel, Grimes, Harmon, Hathaway, Henderson, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Lemmon, Murray, O'Brien, Page, Rainey, Rasmussen, Shaw, Ward, Weil—33.

Absent and not voting: Baxter, Belden, Bernard, Blodgett, Cotter, Farmer, Fishbaugh, Fuller, Ingalls, Kemmis, McMahon, Mason, Middleton, Phelps, Stimpert, White, Working; Mr. Speaker present but not voting—18.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 413, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Gould, Griffin, Grimes, Gullidge, Harmon, Hathaway, Hawks, Henderson, Henry, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Weil, Working—69.

Noes: None.

Absent and not voting: Baxter, Belden, Bernard, Blodgett, Cotter, Crismas, Fishbaugh, Fuller, Harbert, Higgins, Holt, Ingalls, Jones, Kemmis, McClory, McDonald, McMahon, Mason, O'Brien, Phelps, Spain, Stimpert, Ward, Wheat, White; Mr. Speaker present but not voting—26.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 390, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Cutts, Davis, Deibel, Dodds, Duffy, Eaton, Eliel, Gould, Griffin, Grimes, Gullidge, Hathaway, Hawks, Henderson, Henry, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Ward, Weil—69.

Noes: None.

Absent and not voting: Baxter, Belden, Bernard, Blodgett, Cotter, Crismas, Demel, Farmer, Fishbaugh, Fuller, Harbert, Harmon, Higgins, Holt, Ingalls, Kemmis, McClory, McDonald, McMahon, Mason, Phelps, Stimpert, Wheat, White, Working; Mr. Speaker present but not voting—26.

Title agreed to and Bill transmitted to Senate for concurrence.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 345, 394, 349, 390, 351, 388, 99, 389 and 413, beg leave to report same back as correctly engrossed.

Report adopted.

Searles: I move that S. B. No. 142 be re-referred to General Orders.

Motion carried.

Rasmussen: I move that the House do now resolve itself into a Committee of the Whole for the consideration of General Orders.

Motion carried.

### GENERAL ORDERS.

Holt in the Chair.

House resumed.

Mr. Speaker in the Chair.

Holt, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 110, by Whiteside, entitled, "An Act to appropriate money for the construction of a building to be used as a dormitory, library and assembly hall at the State Soldiers' Home," report same back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 138, by Annin, entitled, "An Act to amend Section 2973, Revised Codes of Montana, 1907, relating to the classification of counties," report same back with the recommendation that it be re-referred to Committee on New Counties and Divisions.

Also, having had under consideration S. B. No. 66, by McCone, entitled, "An Act to amend Section CIV of Chapter 147 of the Session Laws of the Eleventh

Legislative Assembly of the State of Montana, providing for a land office expense fund, and the disposition of the same," report same back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 161, by Healy, entitled, "An Act providing for the punishment of persons guilty of disturbance of the peace upon any railway train or car in the State of Montana, providing penalties for the violation thereof, and conferring police powers upon railway conductors while engaged in operating trains upon lines of railways in the State of Montana," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 6, by Lane, entitled, "An Act to amend Sections 302 and 303 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly, 1913; and Section 3195, Revised Codes, 1907, relating to county superintendents, their duties and their expenses," report same back with the recommendation that same be amended as follows, to-wit:

Amend Section 1, line 8, by striking out the words "and twenty-five."

Amend Section 1 by inserting in line 9, after the word "teachers," the words "in districts of the third class."

Amend Section 1 by striking out in lines 4 and 5 the words "at an expense of not more than seventy-five (\$75.00) dollars per month"; and that, as amended, same be concurred in.

Also, having had under consideration H. B. No. 125, by McQuarrie, entitled, "An Act to amend Chapter XXII of the Revised Codes of Montana of 1907, by repealing all of Sections 2112, 2113, 2114, 2115, 2116, 2117, 2118, and providing for an Act relating to the inspection of petroleum products, appointment of inspectors, fees and salaries of inspectors, and prohibiting the sale of adulterated oils and gasoline, and providing penalties for violation thereof," report same back with the recommendation that same be amended as follows, to-wit:

Amend Section 26 by adding in line 350, after the word "can," the word "unless."

Amend Section 25 by striking out in line 329 the words "except that the inspectors are not required to test it other than to ascertain its gravity," and inserting in lieu thereof the words "all gasoline shall be tested by burning in a porcelain dish, to test for tar or other foreign matter in solution"; and that, as amended, it do pass.

Also, having had under consideration H. B. No. 249, by Blodgett, entitled, "An Act to repeal Title XI of Part II of the Code of Civil Procedure of the Revised Codes of Montana of 1907, including therein Sections 6986 to 7091, inclusive, of the Revised Codes, and to repeal said Sections, relating to proceedings in Justices' Courts, and to enact in the place of said repealed title and sections, a title to be known as Title XI of Part II of the Code of Civil Procedure of the Revised Codes of Montana of 1907, relating to proceedings in Justices' Courts, being a Code of Civil Procedure for Justice Courts, containing in said title, chapters, articles and sections, the section numbers of the title here enacted, taking the place of the numbers of said repealed sections," report same back with the recommendation that it do pass.

Report adopted.

White, from the Sifting Committee, reported as follows:

Mr. Speaker: We, your Sifting Committee, having had under consideration the various Bills before the House on General Orders, recommend that the following Bills constitute General Orders for today: Senate Bills Nos. 108 and 91, House Bill No. 154.

Report adopted.

On motion of Blake, House reverted to Eighth Order of Business.

### THIRD READING OF SENATE BILLS.

S. B. No. 110, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Griffin, Grimes, Gullidge, Har-



mon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Weil, Working—75.

Noes: None.

Absent and not voting: Baxter, Bernard, Connolly, Cotter, Farmer, Fishbaugh, Fuller, Gould, Harbert, Henderson, Kemmis, McMillan, Mason, Phelps, Stimpert, Ward, Wheat, White; Mr. Speaker present but not voting—19.

Title agreed to and Bill transmitted to Senate.

On motion of Page, House recessed until 1:30 P. M.

#### AFTERNOON SESSION.

House resumed at 1:30 P. M.

Mr. Speaker in the Chair.

On motion of Lusk, House reverted to Seventh Order of Business.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day reconsidered their action on H. B. No. 215, and ask that it be returned to the Senate for further consideration.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that in compliance with your request of the 24th, inst., that H. B. No. 164, providing for the letting of contracts for public printing, etc., be returned to the House for amendment, same is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Committees this day reported the following Senators to act as the Committee on Bills from the House: Senator Dwight, Senator Annin, Senator Hogan. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following report was this day adopted by the Senate:

The Committee on Committees to name a Committee of three, to be known as the Committee on Bills from the House, to whom the Secretary shall submit all Bills offered by the House for their approval. They to accept for action by the Senate the following Bills: All appropriation measures providing for government maintenance, deficiencies and for claims against the State; all revenue producing measures, all measures offered for consolidating State offices, and any measure which having been recalled by the House is again returned to the Senate.

Respectfully,

J. F. CONE, Secretary of the Senate.

#### THIRD READING OF SENATE BILLS.

S. B. No. 6, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Andrew, Baldwin, Ball, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Gould, Grimes, Gullidge, Harbert, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls,

Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMillan, McQuarrie, Middleton, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Sektnan, Spain, Wheat, Working—62.

Noes: Ashby, Clark—2.

Absent and not voting: Anderson (Oscar W.), Arneson, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Connolly, Cotter, Crismas, Eliel, Fishbaugh, Fuller, Griffin, Harmon, Hathaway, Kelsey, Kemmis, McClory, McMahon, Mason, Morris, Phelps, Searles, Shaw, Stimpert, Ward, Weil, White; Mr. Speaker present but not voting—31.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 66, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Farmer, Gould, Grimes, Gullidge, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Lanstrum, Larse, Lewis, Lusk, McDonald, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Scott, Spain, Wheat, Working—64.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Baxter, Bent, Bernard, Blake, Cotter, Crismas, Deibel, Eliel, Fishbaugh, Fuller, Griffin, Harbert, Harmon, Hathaway, Kelsey, Kemmis, Lemmon, McClory, McMahon, Mason, Phelps, Sand, Searles, Sektnan, Shaw, Stimpert, Ward, Weil, White; Mr. Speaker present but not voting—31.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 161, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Gould, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Lanstrum, Lemmon, Lewis, Lusk, McDonald, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, O'Brien, Page, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Wheat, Working—67.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Baxter, Belden, Bent, Bernard, Blake, Cotter, Crismas, Deibel, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Harmon, Kelsey, Kemmis, McClory, McMahon, Mason, Phelps, Prosser, Quaintance, Stimpert, Ward, Weil, White; Mr. Speaker present but not voting—28.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bills have been delivered to His Excellency, the Governor: February 26, 1917, at 11:20 A. M., House Bills Nos. 137, 97, 245, 211, 176, 90, 247, 233, 195, 240, 217, 161, 143, 256, 250, 89 and 98.

Rasmussen: I move that the House do now resolve itself into a Committee of the Whole for the consideration of General Orders; that debate be limited to ten minutes on any one Bill, and that action on S. B. No. 108 be deferred for the present time.

Motion carried.

#### GENERAL ORDERS.

Crowley in the Chair.  
House resumed.

Mr. Speaker in the Chair.

Crowley, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 91, by McCone, entitled, "An Act providing for the safe investment of the State permanent common school funds, and all other permanent State educational and penal institution funds in the securities herein designated; for the prompt collection of interest thereon; providing a method of procedure in making said investments to guard and protect such funds, and prescribing the duties and obligations of the various officers of the State in making said investments, and repealing all laws and parts of laws in conflict herewith," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 179, by Committee on Elections and Privileges, entitled, "An Act to amend Section 637 of the Revised Codes of the State of Montana of 1907, as amended by Section 1 of Chapter 126 of the Session Laws of 1915, relating to the election and appointment of United States Senators in Congress," report same back to the House with the recommendation that Section 1 be amended by inserting in line 1 of the printed Bill, after the figures "1907," the following: "As amended by Section 1, Chapter 126, of the Session Laws of the Fourteenth Legislative Assembly"; and that, as amended, it be concurred in.

Also, having had under consideration S. B. No. 155, by Burla, entitled, "An Act providing for the appointment of an expert to make a general survey to determine the conditions of the feeble minded, deaf, dumb and blind children in Montana, and making an appropriation to carry out the provisions of this Act," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration H. B. No. 154, by White, entitled, "An Act to provide for party nominations by direct vote; to establish a system of voting by mail at such primary elections; to provide a method for the counting and canvassing of such vote; providing punishment for violation hereof, and repealing all Acts and parts of Acts in conflict herewith," report same back with the recommendation that the enacting clause be stricken out.

Also, having had under consideration Senate Joint Memorial No. 3, report same back with the recommendation that it be concurred in.

Also, having had under consideration Senate Joint Memorial No. 4, report same back with the recommendation that it be concurred in.

Also, having had under consideration H. B. No. 404, by Kemmis, entitled, "An Act to amend Section 2001, Chapter 76 of the Session Laws of 1913, relating to amount of the common school levy," report same back with the recommendation that it do pass.

Also, having had under consideration S. B. No. 142, Sub. for S. B. Nos. 100 and 125, by Gnose, entitled, "An Act to establish and create a general fish and game law for the State of Montana; to codify and arrange all of said laws now in force relating to fish and game which are not repealed or amended hereby and re-enacting such laws as are not in conflict herewith; to amend an Act approved March 9th, 1909, relating to hunting and fishing licenses; and repealing Chapter 81 of the Laws of 1909, relating to the killing of certain animals; to amend an Act approved February 25th, 1915, relating to licenses and the time for the expiration thereof; and also to amend an Act approved March 13th, 1913, relating to game fish, known as Chapter 79 of the Laws of 1913; to amend an Act approved March 15th, 1913, authorizing the sale of game and game birds, known as Chapter 100 of the Laws of 1913; and also to amend an Act approved March 3rd, 1915, concerning fish nets, known as Chapter 60 of the Laws of 1915; to amend an Act approved March 5th, 1915, known as Chapter 76 of the Laws of 1915, relating to elk, Rocky Mountain sheep and goats; to amend an Act approved March 8th, 1915, and known as Chapter 107 of the Laws of 1915, relating to fish and game; to amend a law approved March 8th, 1915, known as Chapter 98 of the Laws of 1915, relating to a closed season for all game; to amend a law approved March 8th, 1915, known as Chapter 109 of the Laws of 1915, relating to the use of explosives or poisons for the purpose of catching fish; to amend an Act approved March 9th, 1915, known as Chapter 138 of the Laws of 1915, relating to the payment of costs in the prosecution of criminal cases

under the game and fish laws; and also for the purpose of amending and re-enacting so much of the game and fish laws found in the Revised Codes of Montana, 1907, as may be found in Sections 8786 and 8789, inclusive; to enact a law relating to the trapping of beaver; relating to the appointment of deputy game wardens under civil service rules, relating to the installation of fish wheels in ditches at the expense of the State, relating to the killing and trapping of bear, and to provide a closed season therefor, to establish a closed season on grouse, prairie chicken, sage hens, fool hens, pheasants or partridges, to establish and provide for the management of fish and game preserves in the State of Montana," report same back to the House with the recommendation that same be amended as follows, to-wit:

Amend Section 32 by striking out all of Section 32, as amended, and inserting the following: "Any person who shall, between the first day of December of any year and the first day of October of the following year, wilfully shoot, wound, kill or capture, or cause to be shot, wounded, killed or captured, any deer, or who in the open season of any calendar year shoots, wounds, kills or captures, or causes to be shot, wounded, killed or captured, more than one deer, is guilty of a misdemeanor and upon conviction shall be punished accordingly."

Amend Section 84 by adding the following:

#### "SOUTH MOCCASIN MOUNTAIN GAME PRESERVE.

"Beginning at the northeast (NE) corner of section thirty (30) township seventeen (17) north, range eighteen (18) east; running thence in a due westerly course a distance of five (5) miles to the northwest (NW) corner of section twenty-eight (28), township seventeen (17) north, range seventeen (17) east; thence south two (2) miles; thence west one-half ( $\frac{1}{2}$ ) mile to the northwest (NW) corner of section four (4), township sixteen (16) north, range seventeen (17) east; thence due south a distance of four (4) miles to the southwest (SW) corner of section one (1), township sixteen (16) north, range seventeen (17) east; thence due east a distance of five (5) miles to the southeast corner (SE) of section nineteen (19), township sixteen (16) north, range eighteen (18) east; thence due north a distance of four (4) miles to the northeast (NE) corner of section six (6), township sixteen (16) north, range eighteen (18) east; thence due east one-half ( $\frac{1}{2}$ ) mile to the southeast (SE) corner of section thirty-one (31), township seventeen (17) north, range eighteen (18) east; thence due north two (2) miles to the northeast (NE) corner of section thirty (30), township seventeen (17) north, range eighteen (18) east, Montana Principal Meridian, the place of beginning."

Amend Section 84 by striking out all that portion from line 835 to line 843, inclusive, and substituting therefor the following:

#### "GALLATIN PRESERVE.

"Beginning at a point where the West Gallatin river intersects the boundary line of the Yellowstone National Park; thence along the West Gallatin river in a northwesterly direction to a point where the east boundary line of range 4, east, intersects the West Gallatin river; thence north along said township line to the intersection of the said township line with the north boundary line of township 8 south; thence due east along said township line to its intersection with the division line between Gallatin County and Park County; thence southerly along this division line to its intersection with the present Gallatin Game Preserve line; thence easterly along this present Gallatin Game Preserve line to its intersection with the Yellowstone river; thence southeasterly along the Yellowstone river to the intersection of the Yellowstone river with the north boundary line of the Yellowstone National Park; thence west along the north boundary line of the Yellowstone National Park to the northwest corner of the Yellowstone National Park; thence south to the intersection of the west boundary line of the Yellowstone National Park with the West Gallatin river, the point of beginning."

Amend by inserting in line 872 the following: "It shall be unlawful for any person to kill, shoot, capture or destroy, or in any way injure any bird or animal on the University of Montana Biological Reserve located on the east shore



of Flathead Lake, or to interfere with their eggs or their young, or their nests, or to shoot at, wound, or kill any bird or any animal within four hundred yards of said University of Montana Biological Reserve, or to discharge any firearms on said reserve or within four hundred (400) yards thereof."

Amend by striking out all of Section 40, page 22, and inserting in lieu thereof the following: "Any person who between the 1st day of October of any one year and the 15th day of September of the following year wilfully shoots or kills or causes to be shot or killed any grouse, prairie chicken, fool hen, sage hen, pheasant or partridge, and who, during the open season in that portion of the State of Montana shoots or kills or causes to be shot or killed more than five grouse, or prairie chickens or fool hens, sage hens, pheasants or partridges in any one day or who shall have in their possession more than a total of five birds at any one time, shall be guilty of a misdemeanor and punished accordingly;" and that, as amended, same be concurred in.

Also, having had under consideration S. B. No. 122, by Fishbeek, entitled, "An Act concerning county auditors, prescribing and enlarging their duties and powers, and transferring certain fiscal duties now performed by the county clerk to the office of county auditor; to provide for the appointment and election of county auditors in counties of the sixth, seventh and eighth classes and fixing their compensation; to provide for the appointment of deputy auditors in all counties and fixing their compensation; prescribing certain duties of the State Examiner and the Board of County Commissioners in relation thereto; to amend Sections 2611, 2621, 2613, 2623, 2626, 2627, 2628, 2634, 2664, 2665, 2666, 2674, 2675, 2696, 2697, 2709, 2710, 2711, 2712, 2717, 2718, 2719, 2721, 2722, 2723, 2746, 2747, 2748, 2753, 2768, 2987, 2996, 3007, 3100, 3104, 3108, 3179 and 3184, and to repeal Sub-Section 4 of Section 3045 and Sub-Sections 1, 2, 3, 4, 5 and 6 of Section 2953 of the Revised Codes of Montana, 1907," report same back to the House with the recommendation that the enacting clause be stricken out."

Crowley: I move the adoption of the report.

Belden: I move that S. B. No. 122 be segregated from the report of the Committee of the Whole.

Lusk: I move that motion to segregate be laid upon the table.

Roll call being demanded, resulted in the following vote:

Ayes: Andersen (Charles), Arneson, Bent, Blake, Blodgett, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Hurd, Ingalls, Ironside, Johnston of Ravalli, Larse, Lusk, McClory, McDonald, McQuarrie, Mason, Morris, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Shaw, Wheat—53.

Noes: Anderson (Oscar W.), Ashby, Baldwin, Ball, Belden, Booth, Connelly, Griffin, Harmon, Huffaker, Jensen, Johnson of Deer Lodge, Lemmon, Lewis, McMahon, McMillan, Middleton, Morrow, Murray, Searles, Sektan, Spain, Weil, Working—26.

Absent and not voting: Andrew, Baxter, Bernard, Clark, Cotter, Crismas, Farmer, Husser, Kelsey, Kemmis, Lanstrum, Phelps, Stimpert, Ward, White; Mr. Speaker present but not voting—16.

Motion to lay on table carried and report of Committee adopted.

Mr. Speaker notified the House that he was about to sign Senate Bills Nos. 133, 51 and 87, and signed same in the presence of the House.

On motion of McMahon, House reverted to Fifth Order of Business.

## INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 451, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act appropriating money for the purpose of defraying the expenses of the State Highway Commission in co-operating with the federal government under the Act of Congress of July 11, 1916, and authorizing the State Highway Commission to make such expenditures, and further authorizing the State Highway Commission to enter into contracts and agreements with the United States Government relating to the construction and maintenance of roads under

this Act." Read first and second time at length and referred to Committee on Appropriations.

H. B. No. 452, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act appropriating money for the deficiency claims of certain persons for services rendered and supplies furnished on account of the State Board of Health, which claims were approved by the State Board of Examiners." Read first and second time at length and referred to Committee on Appropriations.

On motion of Belden, House reverted to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

Belden: I move that H. B. No. 286 be re-referred to Sifting Committee.  
Motion carried.

Gould submitted the following Resolution:

WHEREAS, His Excellency, the Governor, has recently appointed Jacob Fischer to fill the office of custodian, whose duties are to receipt for and take care of the State's property in and around the State Capitol Building, and

WHEREAS, the State has recently purchased and acquired a number of typewriters, chairs and a quantity of office furniture and supplies, and

WHEREAS, the property referred to, is now being used by the House of Representatives and is now under the care and charge of the sergeant-at-arms of the House.

THEREFORE, BE IT RESOLVED, that the said sergeant-at-arms is hereby employed for such additional time as may be required (not to exceed ten days after the close of the present session), to check up and turn over to the said custodian the said property and take his receipt therefor in order that the said property may be taken care of, and made available for the use of the next Legislative Assembly; and the State Auditor is hereby authorized to draw his warrant on the State Treasurer for the amount of the salary due the said sergeant-at-arms for his services in compliance herewith, and the State Treasurer is hereby authorized to pay the same out of the funds appropriated for incidental expenses of the Fifteenth Legislative Assembly."

Belden: I move, as an amendment to the Resolution, that the words "ten days" be stricken out and the words "two days" inserted in lieu thereof.

Motion carried.

Resolution adopted, as amended.

McMahon submitted the following Resolution:

WHEREAS, R. V. Jennings, duly elected in Democratic caucus January 1st, 1917, as assistant doorkeeper, was unavoidably detained from being present the first 14 days of the Fifteenth Legislative Session;

AND WHEREAS, said R. V. Jennings was detained by being subpoenaed on three District Court subpoenas in Meagher County, Montana, at White Sulphur Springs, being from January 2nd to January 14th, 1917, inclusive, as a witness in four separate trials, involving seven negroes; and during the same period of time, said R. V. Jennings was called to Roundup, Musselshell County, Montana, as a witness in Justice Court in the Anderson murder trial;

AND WHEREAS, by reason of the above, it was impossible for the said R. V. Jennings to take up his duties as said assistant doorkeeper until January 16th, 1917;

THEREFORE, BE IT RESOLVED, that the sergeant-at-arms notify the State Auditor to draw a warrant in the sum of seventy (\$70) dollars, covering said period, January 1st to 14th, 1917, inclusive, in favor of said R. V. Jennings, and the State Treasurer is authorized to pay the same."

Resolution adopted.

Blodgett: I move that H. B. No. 249 be considered correctly engrossed and placed on Third Reading.

Motion carried.

On motion of Lusk, House reverted to Seventh Order of Business.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communication was received from the Senate:

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 327, by Lanstrum, was this day read a third time and concurred in as amended, title agreed to as amended, and is herewith transmitted to your Honorable Body for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of the Senate.

No objection being offered, House reverted to Fourth Order of Business.

#### REPORTS OF STANDING COMMITTEES.

White, from the Sifting Committee, reported as follows:

Mr. Speaker: Your Committee on Sifting, to whom was referred Senate Bill No. 136, introduced by Whiteside, beg leave to report as follows: That the same be referred to the Appropriation Committee.

Report adopted.

White, from the Sifting Committee, reported as follows:

Mr. Speaker: We, your Sifting Committee, having had under consideration the various measures before the House on General Orders, recommend that the following Bills be added to General Orders: S. B. No. 85, S. B. No. 101 and S. J. R. No. 5.

Report adopted.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 452, being a Bill for an Act entitled, "An Act appropriating money for the deficiency claims of certain persons for services rendered and supplies furnished on account of the State Board of Health, which claims were approved by the State Board of Examiners," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted.

McMahon, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 451, introduced by Committee on Appropriations, being a Bill for an Act entitled, "An Act appropriating money for the purpose of defraying the expenses of the State Highway Commission in co-operating with the federal government under the Act of Congress of July 11, 1916, and authorizing the State Highway Commission to make such expenditures, and further authorizing the State Highway Commission to enter into contracts and agreements with the United States Government relating to the construction and maintenance of roads under this Act," after having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted.

On motion of Lusk, House reverted to Ninth Order of Business.

#### THIRD READING OF HOUSE BILLS.

H. B. No. 327, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Demel, Dodds, Duffy, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Scott, Searles, Sektnan, Spain, Stimpert, Weil, Wheat, White, Working—76.

Noes: Hathaway, Lemmon—2.

Absent and not voting: Baxter, Bernard, Buell of Gallatin, Cotter, Davis, Deibel, Eaton, Gould, Harmon, Husser, Kelsey, Phelps, Rasmussen, Sand, Shaw, Ward; Mr. Speaker present but not voting—17.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 249, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Gallatin, Buchanan, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Deibel, Demel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, Mason, Morris, Murray, O'Brien, Page, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—76.

Noes: Buell of Missoula, Burnworth, Dodds, Higgins, Lusk, McQuarrie, Quaintance—7.

Absent and not voting: Baldwin, Baxter, Bernard, Davis, Gould, Harmon, Husser, McMillan, Middleton, Morrow, Phelps—12.

Title agreed to and Bill transmitted to Senate for concurrence.

### THIRD READING OF SENATE BILLS.

S. B. No. 91, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Blake, Blodgett, Booth, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMahon, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White, Working—79.

Noes: None.

Absent and not voting: Baxter, Belden, Bent, Bernard, Brooks, Buell of Missoula, Cotter, Harmon, Husser, McClory, McDonald, McMillan, Morris, Quaintance, Shaw—16.

Title agreed to and Bill returned to Senate.

S. B. No. 179, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Lanstrum, Larse, Lemmon, Lewis, Lusk, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White, Working—78.

Noes: None.

Absent and not voting: Baxter, Belden, Bent, Bernard, Brooks, Cotter, Fuller, Harmon, Holt, Hurd, Johnston of Ravalli, Kelsey, Kemmis, McClory, McDonald, Shaw; Mr. Speaker present but not voting—17.

Title agreed to, as amended, and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 155, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Blake, Blodgett, Booth, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Husser, Ingalls, Iron-



side, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, White, Working—77.

Noes: None.

Absent and not voting: Baxter, Belden, Bernard, Buell of Missoula, Cotter, Dodds, Fuller, Gould, Harmon, Holt, Hurd, Johnston of Ravalli, McDonald, Morris, Phelps, Shaw, Wheat; Mr. Speaker present but not voting—18.

Title agreed to and Bill returned to Senate.

S. B. No. 171, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Arneson, Ball, Belden, Bent, Blake, Booth, Brooks, Buell of Gallatin, Buchanan, Carll, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Duffy, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Henderson, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, McMillan, Mason, Morris, Page, Prosser, Rainey, Rasmussen, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Working—55.

Noes: Andersen (Charles), Buell of Missoula, Burnworth, Clark, Eliel, Henry, Higgins, Johnston of Ravalli, Larse, Lusk, McClory, McDonald, McQuarrie, Morrow, O'Brien, Quaintance, Sand, Scott, White—19.

Absent and not voting: Ashby, Baldwin, Baxter, Bernard, Blodgett, Cotter, Demel, Dodds, Eaton, Harmon, Hawks, Holt, Hurd, Jones, McMahon, Middleton, Murray, Phelps, Shaw, Wheat; Mr. Speaker present but not voting—21.

Title agreed to and Bill returned to Senate for concurrence in House amendments.

S. J. M. No. 3, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McMillan, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Ward, Weil, Wheat, White, Working—81.

Noes: None.

Absent and not voting: Baxter, Belden, Bernard, Cotter, Cutts, Harmon, Johnston of Ravalli, Jones, McDonald, McQuarrie, Phelps, Rainey, Shaw; Mr. Speaker present but not voting—14.

Title agreed to and Memorial returned to Senate.

S. J. M. No. 4, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, White, Working—85.

Noes: None.

Absent and not voting: Baldwin, Bernard, Harmon, Johnston of Ravalli, Jones, Phelps, Rainey, Rasmussen, Sand, Wheat; Mr. Speaker present but not voting—11.

Title agreed to and Memorial returned to Senate.

S. B. No. 142, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—86.

Noes: None.

Absent and not voting: Baxter, Cotter, Cutts, Hurd, Husser, Morris, Phelps; Mr. Speaker present but not voting—9.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

McQuarrie: I move that H. B. No. 164, which was returned from the Senate, be re-referred to General Orders.

Motion carried.

Rasmussen: I move that House do now resolve itself into a Committee of the Whole for the consideration of General Orders and that debate be limited to ten minutes upon any one Bill, and that action on S. B. No. 108 be deferred for the present.

Motion carried.

#### GENERAL ORDERS.

Lewis in the Chair.

House resumed.

Mr. Speaker in the Chair.

Lewis, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 85, by Smith, entitled, "An Act relating to the powers and duties of Justices of the Peace, and fixing their compensation," report same back with the recommendation that it be concurred in without House amendments.

Also, having had under consideration S. B. No. 101, by Morris, entitled, "An Act regulating the forwarding of negotiable instruments for collection," report same back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 164, by Hurd, entitled, "An Act to provide for the letting of contracts for public printing, fixing the prices therefor, providing a penalty for violations of this Act, and to repeal Section 2897 of the Revised Codes of the State of Montana for 1907," report same back to the House with the recommendation that same be amended as follows, to-wit:

Amend Section 1 by adding in line 21, after the word "at," the word "not more than."

Amend Section 1 by adding in line 8, after the word "at," the words "not more than"; and that, as amended, it be concurred in.

Also, having had under consideration Senate Joint Resolution No. 5, introduced by O'Shea, a Joint Resolution relating to the services of the Second Infantry and Cavalry Troop A, during the Mexican trouble, report same back with the recommendation that it be concurred in.

Report adopted.

On motion of Crowley, House reverted to Ninth Order of Business.

#### THIRD READING OF HOUSE BILLS.

Belden: I move that H. B. No. 164 be considered correctly engrossed and placed on Third Reading.

Motion carried.

H. B. No. 404, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Belden, Blake, Blodgett, Booth, Brooks, Buchanan, Burnworth, Carl, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, Mason, Middleton, Morrow, Murray, O'Brien, Prosser, Quaintance, Sand, Searles, Spain—66.

Noes: Arneson, Buell of Gallatin, Henderson, Henry, Kelsey, McDonald, McQuarrie, Morris, Page, Rainey, Scott, Sektnan, Shaw, Wheat—14.

Absent and not voting: Baxter, Bent, Bernard, Buell of Missoula, Cotter, Husser, McMillan, Phelps, Rasmussen, Stimpert, Ward, Weil, White, Working; Mr. Speaker present but not voting—15.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 164, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carl, Clark, Connolly, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Shaw, Spain, Wheat, White—74.

Noes: Buell of Missoula, Higgins, Kemmis, McDonald, Scott—5.

Absent and not voting: Baxter, Bernard, Cotter, Cutts, Henry, Husser, Johnston of Ravalli, McMillan, Phelps, Searles, Sektnan, Stimpert, Ward, Weil, Working; Mr. Speaker present but not voting—16.

Title agreed to and Bill transmitted to Senate for concurrence.

Senate amendments to H. B. No. 348 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Belden, Bent, Blake, Booth, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carl, Clark, Connolly, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Husser, Ingalls, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Weil, Wheat, White—74.

Noes: Ironside, O'Brien, Shaw—3.

Absent and not voting: Baldwin, Baxter, Bernard, Blodgett, Buell of Missoula, Cotter, Crismas, Crowley, Cutts, Higgins, Johnston of Ravalli, Jones, Phelps, Prosser, Stimpert, Ward, Working; Mr. Speaker present but not voting—18.

**Bill referred to Engrossing Committee.**

Senate amendments to House Bill No. 130 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Belden, Bent, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Clark, Connolly, Crismas, Cutts, Deibel, Demel, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Weil, Wheat, White, Working—81.

Noes: None.

Absent and not voting: Baldwin, Baxter, Bernard, Blodgett, Brooks, Cot-

ter, Crowley, Davis, Duffy, Phelps, Quaintance, Stimpert, Ward; Mr. Speaker present but not voting—14.

Bill referred to Engrossing Committee.

H. B. No. 135, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Weil, White, Wheat—77.

Noes: None.

Absent and not voting: Baxter, Bent, Bernard, Brooks, Cotter, Crowley, Cutts, Holt, Johnston of Ravalli, Kelsey, McMillan, Phelps, Prosser, Quaintance, Stimpert, Ward. Working: Mr. Speaker present but not voting—18.

Title agreed to and Bill transmitted to Senate for concurrence.

Senate amendments to H. B. No. 86 were lost by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ball, Belden, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Davis, Eliel, Griffin, Gullidge, Hawks, Henderson, Henry, Higgins, Hurd, Kehoe, Larse, Lusk, McQuarrie, Mason, Middleton, Morrow, Weil—27.

Noes: Arneson, Ashby, Bent, Blake, Booth, Connolly, Crismas, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Fuller, Grimes, Harbert, Harmon, Hathaway, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, McMahon, Murray, O'Brien, Page, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Wheat, Working—45.

Absent and not voting: Baldwin, Baxter, Bernard, Blodgett, Brooks, Buell of Gallatin, Cotter, Crowley, Farmer, Fishbaugh, Gould, Holt, Jones, McClory, McDonald, McMillan, Morris, Phelps, Quaintance, Stimpert, Ward, White; Mr. Speaker present but not voting—23.

Working: I move that the Speaker appoint a Committee of three to act with a like Committee from the Senate, to confer on Senate amendments to H. B. No. 86. Motion carried.

On motion of Belden, House reverted to Eighth Order of Business.

### THIRD READING OF SENATE BILLS.

S. B. No. 101, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lusk, McDonald, McMahon, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien Page, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Weil, Wheat, Working—73.

Noes: Deibel, Demel, Jensen, Kemmis—4.

Absent and not voting: Baldwin, Baxter, Bernard, Cotter, Eliel, Farmer, Grimes, Hawks, Jones, Lewis, McClory, McMillan, Morris, Phelps, Quaintance, Stimpert, Ward, White; Mr. Speaker present but not voting—18.

Title agreed to and Bill returned to Senate.

S. B. No. 85, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Ball, Belden, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth,



Carll, Connolly, Crowley, Cutts, Dodds, Duffy, Eliel, Farmer, Fuller, Griffin, Grimes, Harbert, Harmon, Hawks, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Kehoe, Lanstrum, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Mason, Morrow, Murray, O'Brien, Prosser, Searles, Page, Weil, Wheat, Working—52.

Noes: Bent, Clark, Crismas, Davis, Deibel, Demel, Eaton, Fishbaugh, Gould, Gullidge, Hathaway, Henderson, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Kemmis, Larse, Middleton, Page, Rainey, Rasmussen, Sand, Scott, Sektnan—25.

Absent and not voting: Anderson (Oscar W.), Baldwin, Baxter, Bernard, Brooks, Cotter, Holt, Jones, McClory, McMillan, Morris, Phelps, Quaintance, Shaw, Stimpert, Ward, White; Mr. Speaker present but not voting—18.

Title agreed to and Bill returned to Senate.

S. J. R. No. 5, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Ball, Belden, Bent, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Weil, White, Working—75.

Noes:

Absent and not voting: Anderson (Oscar W.), Andrew, Baldwin, Baxter, Bernard, Blodgett, Brooks, Connolly, Cotter, Eaton, Grimes, Holt, Jones, McMillan, Phelps, Shaw, Stimpert, Ward, Wheat; Mr. Speaker present but not voting—20.

Title agreed to and Resolution returned to Senate.

On motion of Lanstrum, House adjourned at 5:30 until 10:00 A. M., Tuesday, February 27, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## FIFTY-EIGHTH DAY

Tuesday, February 27, 1917.

House met at 10:00 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by Chaplain.

Roll called. All members present.

Ironside, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Journal Committee beg leave to report that they have examined the Journal of the fifty-seventh day and find the same to be correct.

Report adopted.

### REPORTS OF STANDING COMMITTEES.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 327, introduced by Lanstrum, beg leave to report same back as correctly enrolled.

Report adopted.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bill No. 125, beg leave to report same back as correctly engrossed.

Report adopted.

Hurd, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 447, 448, 450, 445, 449, 409, and House Joint Resolution No. 9, beg leave to report same back correctly printed.

Report adopted.

Bent, from the Committee on New Counties and Divisions, reported as follows:

Mr. Speaker: We, your Committee on New Counties and Divisions, having had under consideration Senate Bill No. 138, introduced by Annin, "A Bill for an Act to amend Section 2973, Revised Codes of Montana, 1907, relating to the classification of Counties," beg leave to report back with the recommendation that the same be amended as follows:

Amend title by adding after the figures "1907" the words "as amended by Chapter 70 of the Laws of the Fourteenth Legislative Assembly."

Amend by inserting in line 1, after the figures "1907" the words "as amended by Chapter 70 of the Laws of the Fourteenth Legislative Assembly."

Amend Section 1 by striking out in line 15 the word "six" and inserting the word "five" in lieu thereof.

As amended, we recommend the Bill be concurred in.

Report adopted.

Belden: I move that my motion of yesterday, pertaining to the length of time which the sergeant-at-arms shall remain after the session, for the purpose of checking and listing the property of the House, be amended so as to read six days instead of two days.

Motion carried.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Special Committee appointed to consider Bills from the House reports with the recommendation that the Senate receive House Bills Nos. 417 (a revenue producing measure), 415, 298, 416, 426 and 432, appropriation Bills. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Special Committee appointed to pass on Bills received from the House, reported with the recommendation that the Senate receive and act upon House Bills Nos. 345, 349 and 351, said Bills being revenue producing measures. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Conference Committees reported as follows:

Conference Committee on S. B. No. 92 reported with the recommendation that the House of Representatives recede from its position, and that the said Senate Bill No. 92 be concurred in by the House of Representatives without the said House amendment.

Conference Committee on S. B. No. 45 reported as follows: The Senate conferees concur in amendment made in House Committee on Banks and Banking to amend said Bill in Section 1 of line 15 by inserting after the word "repute" the following: "Having a fully paid up capital and surplus of \$100,000.00."

The Senate conferees concur in House amendment by which the word "not" was inserted in line 35, after the word "shall."

The Senate conferees concur in House amendment by which the sentence beginning on page 2, line 26, and ending with the word "act" in line 28, is stricken out, said sentence being as follows: "Any bank which shall become a member of the Federal Reserve Bank Association, and shall in all respects comply with the

rules and regulations of that association, shall be deemed to have complied with the provisions of this Act."

The conferees of both the House and Senate unanimously join in recommending the following amendment: Amend Section 1 by inserting after the word "cause" in line 18, the following: "Provided that the provisions of this Act as to capital and surplus shall not apply to any bank in Montana heretofore designated by the Superintendent of Banks as a Reserve Bank."

The House recedes from its amendment in Committee of the Whole reducing the capital and surplus of designated reserve agents from \$100,000 to \$50,000, and as so amended recommend the Bill for concurrence.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee appointed to confer with a like Committee from the House on Senate Bill No. 10, reported that they unanimously agree that the House recede from its amendment of Senate Bill No. 10. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Judiciary reported the following Bills with the recommendation that they be not concurred in. Report adopted. Bills are herewith returned:

H. B. No. 264, by Judiciary Committee.

H. B. No. 275, by Ashby.

H. B. No. 131, by Dodds.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Stock Growing and Grazing reported Sub. for H. B. No. 155, by Seknan, White, Holt and Bernard, with the recommendation that it be amended as follows:

Amend Section 1 by striking out in lines 3 and 4 the following words "sixty-five per cent of the resident qualified electors thereof residing therein upon land," and inserting in lieu thereof the following words "owners or possessors of fifty-five per cent of the land in such district, provided."

Amend by striking out in line 5, Section 1, the word "which" at the beginning of said line and inserting in lieu thereof the following words: "the land of said district."

Amend by striking out in line 5, Section 1, the word "and" between the words "land" and "twenty."

Amend line 21 of Section 1 by inserting the word "legal" between the letter "a" and the word "fence."

Amend by striking out lines 22 and 23 of Section 1, and as so amended, recommend that the Bill be placed upon General File. Report adopted.

Committee on Enrollment reported Senate Bills Nos. 133, 51 and 87 correctly enrolled. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Education this day reported H. B. No. 230, by Gullidge, with the recommendation that the Bill be amended as follows, to-wit:

That the title be amended by adding thereto the words "and to amend Subdivision one of Section 502 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly, relating to election of trustees."

Also, that paragraph 4 of the printed Bill be stricken out, and the following inserted in lieu thereof:

"Subdivision 4 of Section 512. The Clerk of the School District shall make annually between the first and twentieth day of July of each year, an exact detailed and itemized statement of all moneys expended by, or in behalf of the school district, which statement shall show all receipts and disbursements made on behalf of the school district from July 1st of the preceding year to July 1st of the current year. In districts where the annual expenditures are less than ten thousand dollars (\$10,000.00) per annum, the clerk shall prepare and file with the Board a detailed and itemized statement of all moneys expended, showing the number of the warrant, together with the date thereon, to whom such warrant was paid, the amount of such warrant and the purpose for which such warrant was drawn, and shall post a copy of such statement in three conspicuous places in the district, one of which shall be on the school house of the district; and in all districts disbursing annual amounts exceeding ten thousand dollars (\$10,000.00), he shall cause to be published in some newspaper in general circulation published in the same county and district, if there be one in such district, a copy of said statement for two consecutive issues, such publication to commence not later than the first week in August. It is hereby made the duty of the Board of County Commissioners to designate the newspaper in which said publication shall be made."

Also, that the following be inserted and numbered Section 7, and that the other Sections be renumbered to conform thereto. That Subdivision One of Section 502 of Chapter 5 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly be amended to read as follows:

"Subdivision 1. An annual election of school trustees shall be held in each school district in the State on the first Saturday in April of each year at the district schoolhouse, if there be one, and if there be none, at a place designated by the Board of Trustees. In districts of the third class having more than one schoolhouse where school is held, one trustee must be elected from persons residing where such outside schools are located."

That the following be inserted at the end of line 45 of the printed Bill: "Any and all such moneys thus forfeited by any school district shall be apportioned by the county superintendent to other school districts of his county."

Also, that the following be inserted commencing at the end of line 53 of the printed Bill: "Any teacher who shall end any school term before the close of the school year, shall make a report to the county superintendent immediately after the close of such term, and any teacher who may be teaching any school at the close of the school year shall in his annual report include all statistics from the school register for the entire school year notwithstanding any previous report for a part of the year. Teachers shall make such additional reports as shall be required in pursuance of law by the superintendent of public instruction. No board of trustees shall draw any order or warrant for the salary of any teacher, for the last month of his services, until the reports herein required shall have been made and received; provided, that in all schools acting under the direction of a city superintendent, teachers shall be required to report to such superintendent, whose report shall be accepted by the county superintendent and by the trustees in lieu of the teacher's report; and that when there is no city superintendent, the report of the principal shall be accepted in lieu of the teachers' reports."

Also, to insert in Section 6 of the printed Bill, line 57, after the words "school year," the words "and fiscal year," and with such changes, recommend that the Bill be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations as follows:

Committee on Agriculture reported H. B. No. 222 with the recommendation that it be amended as follows: Amend Section 2 to read as follows: "The Secretary of State shall not issue any certificate of incorporation to any corporation



or association except in compliance with this Act," and as amended recommend that the Bill be concurred in. Report adopted.

Committee on Stock Growing and Grazing reported H. B. No. 180 with the recommendation that the Bill be amended as follows:

Amend the title by adding in line 2, after the figures 1907, the words "And Section 1 of Chapter 131 of the Session Laws of the Fourteenth Legislative Assembly," and in line 3 by striking out the word "horses" and inserting in lieu thereof the word "livestock."

Also amend Section 1 by inserting in line 1 after the figures "1907" the words "and Section 1 of Chapter 131 of the Session Laws of the Fourteenth Legislative Assembly"; and in line 2 by striking out the word "is" and inserting in lieu thereof the word "are"; and in line 3 by striking out the word and figures "Section 1808"; and in line 4 after the word "asses" by adding the words "or any meat cattle" and in lines 7 and 8 by striking out the words "horses," "mules" "or asses," and inserting in lieu thereof the word "livestock," and recommend that the Bill as amended be concurred in. Report adopted.

Committee on Education reported H. B. No. 225 with the recommendation that it be amended as follows: Amend by inserting in line 43 of Section 1, after the word "same," the following: "or f. o. b. Text Book Depositories in Montana"; and also to insert after the word "Illinois" in line 27 of Section 2, the following: "or Text Book Depositories in Montana"; and that the Bill, as amended, be concurred in. Report adopted.

Committee on Judiciary reported H. B. No. 199, by Higgins, with the recommendation that the Bill be amended as follows: Agree to waive amendment to Section 10. Amendment to Section 13 agreed upon. Agree to strike out the amendment to Section 20 with reference to Section 21. Agree to strike out amendment to Section 1. Divided as to striking out amendments to Section 25. The portion of amendment to Section 25 "by striking out the following: Also by inserting after the word interpreted the words and enforce," not agreed upon. Agree to strike out amendment to Section 29. Agree to strike out amendment to Section 35. And with these amendments recommend that the Bill be concurred in. Report adopted.

Committee on Taxation reported H. B. No. 144 with the recommendation that the Bill be amended as follows: Amend Section 1 to read as follows: "That a Commission is hereby created composed of C. J. McNamara, a resident of the County of Lewis and Clark, State of Montana; Chas. R. Leonard, a resident of the County of Silver Bow, State of Montana, and Wm. Lindsay, Sr., a resident of the County of Carbon, State of Montana, said persons being hereby named and appointed as members of said Commission, and said Commission shall be called the Tax and License Commission. The compensation of the members of this Commission shall be paid out of the General Fund of the State, and there is hereby appropriated for the payment of traveling expenses, office expenses and all other expenses as authorized, the sum of \$25,000. Should a vacancy occur in said Commission through the death or resignation of any member thereof, or through any other cause, the Governor shall appoint some qualified person to fill such vacancy"; and the Bill as amended be concurred in. Report adopted.

Committee on Constitutional Amendments reported H. B. No. 148, by Kemmis, to be amended as follows: Amend Section 2, line 9, by adding after the word "debt" the following: "and provided further that any city or town may incur an indebtedness amounting to three per cent of the taxable property therein, exclusive of any indebtedness incurred, or which may be incurred, for constructing a sewerage system or procuring a supply of water." Also amend Section 2, line 17, by inserting after the word "water" the following: "or to produce, purchase or build heating, lighting or power plants, or street railways," and in line 18, by inserting after the word "supply" the following: "or heating, lighting or power plants, or street railway system," and the Bill as amended be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body

that the following Senate Bill was this day reported from Standing Committee with recommendation:

S. B. No. 201, reported by Committee on Constitutional Amendments, with the recommendation that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Constitutional Amendments reported H. B. No. 18, by Baldwin, with the recommendation that the Bill be concurred in. Report adopted.

Committee on Affairs of Cities reported H. B. No. 284, by Clark, with the recommendation that it be concurred in. Report adopted.

Committee on Judiciary reported H. B. No. 150, by Griffin, with the recommendation that it be concurred in. Report adopted.

Committee on Agriculture reported H. B. No. 270, introduced by Anderson, with the recommendation that it be concurred in. Report adopted.

Committee on Fairs and Expositions reported H. B. No. 171, by Committee on Fairs and Expositions, with the recommendation that the Bill be concurred in. Report adopted.

Committee on Public Lands reported H. J. M. No. 8, by Kemmis and Anderson, with the recommendation that the same be concurred in as amended. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day read a first and second time and referred as follows:

H. B. No. 349, by Gould, providing a method for the assessment and collection of a license fee on express companies. Referred to Committee on Taxation.

H. B. No. 351, by Gould, providing a method of assessment and collection of a license fee on private car companies. Referred to Committee on Taxation.

H. B. No. 345, by Gould, an Act to license certain corporations. Referred to Committee on Taxation.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second time and referred as follows:

H. B. No. 417. Referred to Committee on Judiciary.

H. B. No. 298. Referred to Committee on Finance and Claims.

H. B. No. 416. Referred to Committee on Finance and Claims.

H. B. No. 415. Referred to Committee on Finance and Claims.

H. B. No. 426. Referred to Committee on Finance and Claims.

H. B. No. 432. Referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bill was this day introduced, read first and second time, and referred as follows:

S. B. No. 204, "An Act for the protection of National Guardsmen; making certain acts a misdemeanor, and providing punishment." Referred to Committee on Printing.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body

that the following Bill was this day introduced, read first and second time, and referred as follows:

S. B. No. 203, introduced by Healy: "An Act to purchase and erect in the Hall of the Capitol a bronze tablet to the memory of Don L. Byam, the 'Old Pioneer' who presided at the trial of George Ives; and to appropriate money therefor." Referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Resolution, by Annin, was this day read and adopted:

"It is hereby resolved by the Senate that the Bill Clerk be paid eight dollars (\$8.00) and the Assistant Enrolling Clerk and Assistant Engrossing Clerk be paid six dollars (\$6.00) per day during the time of their services in the Senate, according to the provisions of House Bill No. 217, which has passed the House and Senate, and that the Secretary instruct the State Auditor of this action by the Senate, and that the State Auditor be authorized and instructed to make payment according to the provisions of this Resolution."

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that His Excellency, the Governor, this day advised the Senate that he had approved Senate Bill No. 48, relating to the issuance of licenses to and the bonding of warehousemen.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills, having been read three several times and concurred in as amended, titles agreed to, are herewith transmitted to your Honorable Body for concurrence in Senate amendments:

H. B. No. 130, by Kehoe.

H. B. No. 348, by Kemmis.

H. B. No. 135, by Kehoe.

H. B. No. 86, by Working.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills, having this day been read three several times and concurred in, titles agreed to, are herewith returned:

H. B. No. 16, by Stimpert.

H. B. No. 132, by Murray.

H. B. No. 184, by Blake.

H. B. No. 265, by Burnworth.

H. B. No. 269, by Deibel.

H. B. No. 279, by Morrow.

H. B. No. 296, by Holt and Johnson.

H. B. No. 396, by Committee on Highways.

H. B. No. 91, by Bernard.

H. B. No. 104, by Grimes.

H. B. No. 244, by Kemmis.

H. B. No. 290, by Blodgett.

H. B. No. 333, by Committee on Fairs and Expositions.

H. B. No. 395, by Kemmis.

H. J. R. No. 8, by Eaton.

H. J. M. No. 7, by McMahon.

H. B. No. 329, by Ball.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following Senate Bills:

S. B. No. 87, by Heren.

S. B. No. 51, by Gallwey.

S. B. No. 133, by Joint Committee on Stock Growing and Grazing.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following House Bills:

H. B. No. 137, by Working.

H. B. No. 97, by Holt.

H. B. No. 245, by Eaton.

H. B. No. 211, by Lewis.

H. B. No. 190, by Lewis.

H. B. No. 90, by Ashby.

H. B. No. 247, by Kemmis.

H. B. No. 233, by Husser.

H. B. No. 195, by Brooks.

H. B. No. 240, by Anderson.

H. B. No. 161, by Carll.

H. B. No. 272, by Murray.

H. B. No. 143, by Bent.

H. B. No. 256, by Spain.

H. B. No. 250, by Mason.

H. B. No. 89, by Dodds.

H. B. No. 98, by Carll.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 26, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day reconsidered action on H. B. No. 37, and the Bill re-referred to the Judiciary Committee.

Respectfully,

J. F. CONE, Secretary of the Senate.

Mr. Speaker appointed, as a Conference Committee on Senate amendments to H. B. No. 86, the following members: Working, Kemmis and Husser.

### THIRD READING OF HOUSE BILLS.

H. B. No. 125, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ball, Bent, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Clark, Connolly, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, McDonald, McQuarrie, Middleton, Morris, Morrow, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Weil, Wheat—66.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Ashby, Baldwin, Baxter, Belden, Bernard, Blodgett, Brooks, Burnworth, Cotter, Crismas, Davis, Holt, Hurd, Husser, Kelsey, Lewis, Lusk, McClory, McMahon, McMillan, Mason, Murray, Phelps, Shaw, Ward, White, Working; Mr. Speaker present but not voting—29.

Title agreed to and Bill transmitted to Senate for concurrence.

Rasmussen: I move that House do now resolve itself into a Committee of



the Whole for the consideration of General Orders, and that debate be limited to ten minutes upon any one Bill, except appropriation Bills.  
Motion carried.

## GENERAL ORDERS.

Henderson in the Chair.

House resumed.

Speaker pro tem in the Chair.

Henderson, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 108, by Committee on Irrigation and Water Rights, entitled, "An Act to amend and re-enact Sections 1, 4, 11, 30, 35 and 48 of Chapter 146 of the Montana Session Laws, 1909; and Sections 2 and 11 of Chapter 145 of the Montana Session Laws, 1915, relating to the creation, organization, government and change in the area of irrigation districts," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 138, by Annin, entitled, "An Act to amend Section 2973, Revised Codes of Montana, 1907, relating to the classification of counties," report same back with the recommendation that it be concurred in.

Also, having had under consideration H. B. No. 448, by Committee on Appropriations, entitled, "An Act appropriating money for the maintenance of the executive and judicial departments of the State government for two years, commencing March 1st, 1917, and ending February 28th, 1919," report same back to the House with the recommendation that same be amended as follows, to-wit:

Amend Section 1 by inserting a new line after line 63 of the printed Bill, as follows: "Expense National Board Railroad Valuation, One Thousand Dollars."

Amend Section 1 by inserting new line numbered 62½ to read as follows: "Salary of Steamboat Inspector, \$1,200.00."

Amend Section 1 by striking out in line 99 the words "One Thousand Dollars" and inserting the words "Two Thousand Dollars."

Amend Section 1 by striking out in line 144 the words "Two Thousand" and inserting in lieu thereof the words "Four Thousand."

Amend Section 1 by striking out in line 187 the word "two" and inserting in lieu thereof the word "one."

Amend Section 2 by inserting a new line to be numbered 283½ to read as follows: "Salary Steamboat Inspector \$1,200.00."

Amend Section 2 by striking out in line 321 the words "One Thousand Dollars" and inserting in lieu thereof the words "Two Thousand Dollars."

Amend Section 2 by striking out in line 406 the word "two" and inserting in lieu thereof the word "one."

Amend Section 2 by striking out in line 363 the words "Two Thousand" and inserting in lieu thereof the words "Four Thousand"; and that, as amended, same do pass.

Report adopted.

Sifting Committee recommended that the following Bills be placed on General Orders: House Bills Nos. 450, 448, 447, 431, 51, 441, 439, 352, 445, 449, 310, 403, 409, 393, Substitute for House Bill No. 330, House Joint Memorial No. 9, Senate Bills Nos. 159, 188, 78, 28, 16, 75, Substitute for Senate Bill No. 62.

Report adopted.

Printing Committee reported back House Bills Nos. 451 and 452 as correctly printed.

Committee on Appropriations reported back Senate Bill No. 164, being Substitute for Senate Bill No. 136, with recommendation that it be concurred in.

Report adopted.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 130 and 265, beg leave to report same back as correctly enrolled.

Report adopted.

On motion of Rasmussen, House recessed until 1:30 P. M.

## AFTERNOON SESSION.

House reassembled at 1:30 P. M.

Speaker pro tem in the Chair.

On motion of Crismas, House reverted to Fifth Order of Business.

## INTRODUCTION AND SECOND READING OF BILLS.

H. B. No. 453, introduced by Committee on Appropriations: A Bill for an Act entitled, "An Act making an appropriation from the State Board of Health maintenance fund to defray the expenses of the State Board of Health in connection with the analysis of waters furnished and sold to the public." Read first and second time at length and referred to Appropriations Committee.

## CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communication was received from the Senate:

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day reconsidered its action on House Bill No. 264, and request that it be returned to the Senate for further consideration.

Respectfully,

J. F. CONE, Secretary of the Senate.

Cutts: I move that the House comply with the request of the Senate and return H. B. No. 264 to them.

Motion carried.

On motion of Crismas, House reverted to Fourth Order of Business.

## REPORTS OF STANDING COMMITTEES.

Crismas, from the Committee on Appropriations, reported as follows:

Mr. Speaker: We, your Committee on Appropriations, to whom was referred House Bill No. 452, introduced by Committee on Appropriations, being a Bill for an Act entitled, "An Act making an appropriation from the State Board of Health Maintenance Fund to defray the expenses of the State Board of Health in connection with the analysis of waters furnished and sold to the public," having had said Bill under consideration, beg leave to report same back to the House with the recommendation that it do pass.

Report adopted.

Speaker pro tem notified the House that he was about to sign House Bills Nos. 327, 130 and 265, and signed same in the presence of the House.

On motion of Gould, House resolved itself into a Committee of the Whole for consideration of General Orders on House Bill No. 450.

## GENERAL ORDERS.

Dodds in the Chair.

House resumed.

Mr. Speaker in the Chair.

Dodds, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 450, by Committee on Appropriations, entitled, "An Act appropriating money for the maintenance and betterment of the several State institutions of Montana for two years, commencing March 1st, 1917, and ending February 28th, 1919," report same back to the House with the recommendation that same be amended as follows:

Amend Section 1 by adding in line 48 after the word "buildings" the words "Northern Montana Agricultural and Manual Training School."

Amend Section 1 by inserting in line 46 after the words "Manual Training School" the words "and Agricultural Substation."

Amend Section 1 by striking out in line 46 the word "nine" and inserting in lieu thereof the words "fifteen (15)."

Amend Section 1 by inserting after line 15 the following: "Purchase of land and options on land at State University, Ten Thousand Dollars."

Amend Section 1 by striking out the word "Thirty-six" in line 39 and inserting in lieu thereof the words "Thirty-eight Thousand Five Hundred."

Amend Section 2 by striking out in line 93 the word "nine" and inserting in lieu thereof the word "fifteen."

Amend Section 2 by inserting after line 63 the following: "Purchase of land and options on land at State University, Ten Thousand Dollars."

Amend Section 2 by striking out in line 87 the word "Thirty-six" and inserting in lieu thereof the words "Thirty-eight Thousand Five Hundred."

Amend Section 2 by inserting in line 93 after the words "Manual Training School" the words "and Agricultural Substation."

Amend Section 2 by adding in line 95 after the word "buildings" the words "Northern Montana Agricultural and Manual Training School"; and that, as amended, same do pass.

Report adopted.

Cutts: I move that House Bills Nos. 450 and 448 be considered correctly engrossed and placed on Third Reading.

Motion carried.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 184, 279, 132, 333, beg leave to report same back as correctly enrolled.

Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 184, 333, 132, 279, and signed same in the presence of the House.

On motion of McMahon, House reverted to Ninth Order of Business.

### THIRD READING OF HOUSE BILLS.

H. B. No. 448, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Ball, Baxter, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, Wheat, White, Working, Mr. Speaker—80.

Noes: None.

Absent and not voting: Andrew, Baldwin, Belden, Bernard, Blodgett, Cotter, Deibel, Griffin, Hawks, Henderson, McDonald, McMillan, Phelps, Spain, Ward—15.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 450, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Crismas, Crowley, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Shaw, Stimpert, Weil, Wheat, White, Working, Mr. Speaker—80.

Noes: Cutts—1.

Absent and not voting: Baldwin, Belden, Bernard, Blodgett, Clark, Cotter, Deibel, Henderson, McDonald, McMillan, Phelps, Sektnan, Spain, Ward—14.

Title agreed to and Bill transmitted to Senate for concurrence.

## THIRD READING OF SENATE BILLS.

S. B. No. 138, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Ball, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Connolly, Crismas, Crowley, Dodds, Duffy, Eliel, Farmer, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Stimpert, Weil, Wheat, White, Working—67.

Noes: Cutts, Demel, Fuller, Hawks, Kelsey, Rainey, Shaw—7.

Absent and not voting: Anderson (Oscar W.), Baldwin, Baxter, Belden, Bernard, Blodgett, Clark, Cotter, Davis, Deibel, Eaton, Harbert, Hüsser, McDonald, McMahon, McMillan, McQuarrie, Phelps, Spain, Ward; Mr. Speaker present but not voting—21.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 104, 290 and 269, beg leave to report same back as correctly enrolled.

Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 269, 290, and 104, and signed same in the presence of the House.

S. B. No. 108, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Ball, Bent, Blake, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carl, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, White, Working—77.

Noes: Jensen—1.

Absent and not voting: Anderson (Oscar W.), Baldwin, Baxter, Belden, Bernard, Blodgett, Buell of Gallatin, Deibel, Eaton, Kemmis, McMahon, Phelps, Rasmussen, Spain, Ward, Wheat; Mr. Speaker present but not voting—17.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

Lemmon: I move that the House do now resolve itself into a Committee of the Whole for the consideration of General Orders, and that debate be limited to ten minutes on any one Bill.

Motion carried.

## GENERAL ORDERS.

Duffy in the Chair.

House resumed.

Mr. Speaker in the Chair.

Duffy, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 447, by Higgins, entitled, "An Act authorizing the State of Montana to become indebted in excess of the constitutional limit, and to provide for the issuance of bonds in the name of the State of Montana, as evidence of such indebtedness for the construction of necessary buildings for the State University, the College of Agriculture and Mechanic Arts, the State Normal College, the State School of Mines and any other State institutions under the control of the



State Board of Education," report same back to the House with the recommendation that same be amended as follows:

Amend Section 1 by inserting after the word "million" in line 6, the words "Five Hundred Thousand," and change the figures "1,000,000" to "1,500,000."

Amend Section 1, line 10, by changing the words and figures "one million (1,000,000)" to "one million five hundred thousand (1,500,000)."

Amend Section 11, lines 79 and 83, by striking out the words and figures "one million (1,000,000)" and inserting in lieu thereof the words and figures "one million five hundred thousand (1,500,000)."

Amend Section 11 by striking out in line 84 the words "for the State institutions" and inserting in lieu thereof the words "at the State University, the College of Agriculture and Mechanic Arts, the State Normal College, the State School of Mines and any other State institutions under the State Board of Education"; and that, as amended, same do pass.

Also, having had under consideration H. B. No. 431, by Rainey, entitled, "An Act to pay certain employees of the Senate and the House as provided in Sections 76 and 81 of the Revised Codes of 1907," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 441, by Kehoe, entitled, "An Act to provide for the support of the government of the State of Montana for the years 1917 and 1918," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 439, by Blake, entitled, "An Act to authorize the State Auditor to employ a warrant clerk, and fixing his salary," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 352, by Mason, entitled, "An Act relating to the State Board of Education, defining its powers and prescribing its duties, making an appropriation therefor and repealing Sections 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591 and 2592 of the Revised Codes of Montana, 1907," report same back with the recommendation that same be amended as follows:

Amend Section 7, Subdivision 3, by striking out in line 53 the word "conceive" and inserting in lieu thereof the word "conductive."

Amend Section 7, Subdivision 3, by inserting in line 53, between the words "it" and "deem" the word "may" so that the same will read "it may deem."

Amend Section 7, Subdivision 9, by striking out in line 94 the word "unofficial" and inserting in lieu thereof the word "official."

Amend Section 7, Subdivision 18, by striking out in line 143 the word "counties" and inserting in lieu thereof the word "countries."

Amend Section 7, Subdivision 20, by striking out in line 153, the word "manner" and inserting in lieu thereof the word "matter."

Amend Section 10 by striking out in line 179 the word "adjusted" and inserting in lieu thereof the word "adjourned."

Amend Section 12 by striking out in line 201 the word "ho" and inserting in lieu thereof the word "who"; and that, as amended, the same do pass.

Also, having had under consideration H. J. R. No. 9, by Eliel, entitled, "A Resolution conveying the gratitude of the Fifteenth Legislative Assembly to the Honorable Martin Barrett of Beaverhead County, one of a group of members of the Eleventh Territorial Legislative Assembly, for valuable service rendered in preventing the granting of subsidies to railroads building into the Territory of Montana in the year 1879, thereby relieving the present generation of a burden of debt and taxation," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 445, by Committee on Appropriations, entitled, "An Act to appropriate money for the purpose of paying the claims of cities against the firemen's disability fund, which claims have been approved by the State Board of Examiners," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 449, by Murray, entitled, "An Act regulating and limiting the hours of employment for female employees, and governing the conditions under which female employees shall work in certain industries and providing penalties for violation thereof," report same back with the recommendation that it do pass.

Also, having had under consideration Sub. for S. B. No. 62, by McCone, entitled, "An Act to provide for nominations of candidates of the different political parties by direct vote and to provide for the election of delegates and alternate delegates and providing for the holding of the State convention and for the nominating of candidates thereat, and for the selection of County and State committeemen; and to repeal initiated Bill entitled, 'A Bill to propose by initiative petition a law to provide for party nominations by direct vote,' approved and passed by the people of Montana at the general election of 1912; and to repeal initiated Bill, entitled, 'A Bill to propose by initiative petition a law to provide for the expression by the people of the State of Montana of their preference of party candidates for President and Vice-President of the United States at Presidential conventions and the nomination of Presidential electors by direct vote,' passed by the people of Montana at the general election of 1912," report same back to the House with the recommendation that it be re-committed to General Orders.

Report adopted.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bills have been delivered to His Excellency, the Governor: February 27, 1917, at 5:05 P. M., House Bills Nos. 265, 130, 327, 333, 184, 132, 279, 104, 269, 290.

On motion of Lusk, House adjourned until 10:00 A. M., Wednesday, February 28, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## FIFTY-NINTH DAY

Wednesday, February 28, 1917.

\* House met at 10:00 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by the Chaplain.

Roll called. All members present.

Jensen, from the Committee on Journal, reported as follows:

Mr. Speaker: Your Journal Committee beg leave to report that they have examined the Journal of the fifty-eighth day and find the same to be correct.

Report adopted.

### COMMUNICATIONS AND PETITIONS.

A telegram was received from C. F. Lowrie, President of the American Society of Equity, protesting against the passage of Senate Bill No. 16, by O'Shea, relating to hail insurance. The telegram stated that an optional measure would be ineffective and a detriment to future legislation.

### REPORTS OF STANDING COMMITTEES.

Morrow, from the Committee on Banks and Banking, reported as follows:

Mr. Speaker: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 169, introduced by Banks and Banking Committee, beg leave to report as follows: That the Bill be referred back to the House with the recommendation that it be concurred in, as amended, to-wit: Strike out the word "these" in line 9 and insert the word "such incorporators."

Report adopted.

Morrow, from the Committee on Banks and Banking, reported as follows:

Mr. Speaker: Your Committee on Banks and Banking, to whom was referred House Bill No. 425, introduced by Lusk, beg leave to report as follows: That the Bill be referred back to the House with the recommendation that it do not pass.

Report adopted.

## CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE.

The following communication was received from His Excellency, the Governor:

Executive Office, Helena, Montana, February 27, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise you that I have this day approved the following House measures:

H. B. 89, relating to support of wife, children or wards by husband, parent or guardian.

H. B. 90, appropriation for satisfaction of judgment against Thomas Daly.

H. B. 98, relating to the practice of optometry.

H. B. 137, relating to the surveying of any city or town.

H. B. 161, relating to the levy of school district taxes.

H. B. 203, relating to the analysis of waters sold to the public.

H. B. 240, relating to the study of elementary agriculture.

H. B. 245, relating to the publication of summons.

H. B. 247, relating to a high school tax and high school instruction.

H. B. 250, requiring the publication of lists of adulterated and misbranded foods, beverages, etc.

H. B. 256, regulating the sale and distribution of tuberculin.

S. V. STEWART, Governor.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Roads and Highways reported H. B. No. 381 with the recommendation that the Bill be concurred in. Report adopted.

Committee on Taxation reported H. B. No. 351, by Gould, with the recommendation that the Bill be concurred in. Report adopted.

Also reported H. B. No. 349, by Gould, with the recommendation that the Bill be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Taxation reported H. B. No. 345 with the recommendation that it be amended as follows: Amend by striking out in lines 5 and 17 of the engrossed Bill (which correspond to lines 4 and 12 of the printed Bill) the words "three-fourths" and inserting in lieu thereof in each case the words "one and one-fourth." Amend Section 4, line 165, of the printed Bill by striking out the word "and" after the word "Treasurer" and inserting in lieu thereof the word "or"; and as amended be concurred in. Report adopted.

Also reported H. B. No. 351 with the recommendation that it be amended as follows: Amend Subdivision 6 of Section 2 by inserting in the first line thereof, after the word "entire," the word "gross" and by adding to said Subdivision 6 the following: "The words gross receipts as used in this Act are hereby defined to mean a proportion of the total gross operating revenues. This proportion shall be determined by the following method: The total gross operating revenues of any such company shall be determined in accordance with the provisions of this Act. This sum shall be divided by the total mileage operated by the company whose gross receipts are being determined, and this quotient shall then be multiplied by the mileage operated by this company within the boundaries of the State of Montana. This product shall then be the gross receipts for such company for the purpose of levying this license tax."

Amend line 8 of Section 6 of the engrossed Bill by striking out the word "offering" and inserting in lieu thereof the word "affecting." Amend by inserting in line 4 of Section 1 of the engrossed Bill after the word "transporting" the

words "passengers of," and that the Bill, as amended, be concurred in. Report adopted.

Also H. B. No. 349, with the recommendation that it be amended as follows: Amend by adding after the word "entire" in the first line of the sixth Subdivision of Section 2, the word "gross" and by adding to said Subdivision six of Section 2 the following: "The words gross receipts as used in this Act are hereby defined to mean a proportion of the total gross operating revenues. This proportion shall be determined by the following method: The total gross operating revenues of any such company shall be determined in accordance with the provisions of this Act. This sum shall be divided by the total mileage operated by the company whose gross receipts are being determined, and this quotient shall then be multiplied by the mileage operated by this company within the boundaries of the State of Montana. This product shall then be the gross receipts for such company for the purpose of levying this license tax."

Amend Section 6 by striking out in line 7 of Section 6 after the word "oath" the word "offering" and inserting in lieu thereof the word "affecting," and the Bill as amended be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bill was this day reported from Standing Committee with recommendation:

Committee on Finance and Claims reported Senate Bill No. 203, introduced by Healy, relating to a bronze tablet to the memory of Don L. Byam, with the recommendation that the Bill do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported from Standing Committees with recommendations:

Committee on Finance and Claims reported the following House Bills with the recommendation that they be concurred in:

H. B. No. 298, by White.

H. B. No. 426, by Committee on Appropriations.

H. B. No. 432, by Committee on Appropriations.

H. B. No. 259, by Committee on Appropriations.

H. B. No. 312, by Committee on Appropriations.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Printing reported S. B. Nos. 210 and 204 correctly printed. Report adopted.

Committee on Enrollment reported that at the hour of 3:50 o'clock P. M., February 26th, they transmitted to His Excellency, the Governor, the enrolled copies of Senate Bills 133, 87 and 51, and received the receipt of his Secretary therefor. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day reported from Standing Committees with recommendations:

Committee on Judiciary reported the following House Bills with the recommendation that they be concurred in:

H. B. No. 276, by Cotter.



H. B. No. 183, by Anderson.

H. B. No. 215, by Higgins.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee appointed to pass on Bills coming from the House since the fiftieth day reported S. B. No. 400, being a substitute Bill, for consideration. Same was read first and second time and referred to Committee on Public Morals.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bill was this day introduced, read first and second time, and referred as follows:

S. B. No. 205, by Burla: "An Act to provide for the segregation of the deaf, dumb and blind children from the Montana School for Deaf and Blind located at Boulder, Montana, and to provide a separate institution for the deaf, dumb and blind children of the State of Montana to be located at Helena, Montana, and to provide an appropriation therefor, and give names to the school at Boulder, Montana, and the one created at Helena, Montana." Referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in House amendments to the following Senate Bills:

S. B. No. 161, by Healy.

S. B. No. 171, by Committee on Elections and Privileges.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day recommended unfavorably by Committee of the Whole Senate. Report adopted. Bill is herewith returned:

H. B. No. 148, by Kemmis.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in House amendments to the following Senate Bills:

S. B. No. 147, by Williams and Gnose.

S. B. No. 167, by Committee on Roads and Highways.

S. B. No. 6, by Lane.

S. B. No. 179, by Oliver.

S. B. No. 66, by McCone.

S. B. No. 142, by Gnose.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following Bills:

H. B. No. 290, by Blodgett.

H. B. No. 269, by Deibel.

H. B. No. 104, by Grimes.

H. B. No. 279, by Morrow.

H. B. No. 132, by Murray.

H. B. No. 184, by Blake.

H. B. No. 333, by Committee on Fairs and Expositions.

H. B. No. 327, by Lanstrum.

H. B. No. 130, by Kehoe.

H. B. No. 265, by Burnworth.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 27, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following Senate measures:

S. B. No. 10, by Annin.

S. B. No. 45, by Kinney.

S. B. No. 92, by Jones.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Mason, House reverted to Fourth Order of Business.

### REPORTS OF STANDING COMMITTEES.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, after having had under consideration Senate Bill No. 71, by Whiteside, entitled, "An Act to regulate the storage of goods in warehouses, and fixing penalties for the violation of this Act," beg leave to report as follows: That same be reported back to the House with the recommendation that it be concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 17, by O'Shea, a Bill for an Act entitled, "An Act to combine the office of State Inspector of Boilers, State Inspector of Mines and State Coal Mine Inspector and placing all of said officers under the supervision of the Industrial Accident Board; fixing the salaries thereof and defining their duties and powers; and amending Section 55a and Section 55b, Chapter 96, Laws of the Fourteenth Legislative Assembly, being known as the Workmen's Compensation Act," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that the title be amended by adding after the word "boilers" in line 2 the words "inspection of steamboats" and adding to the title the following: "and repealing Chapter 63 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana." Also amend Section 1 by inserting after the word "boilers" the words "inspection of steamboats." Amend Section 7 by adding the following: "That Chapter 63 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana is hereby expressly repealed." Further amend the Bill by renumbering the present Section 7 to read as Section 8, and as amended, it be reported back with the recommendation that it be concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 140, by Heren, a Bill for an Act entitled, "An Act to amend Section 2585 of the Revised Codes of the State of Montana, relating to the powers and duties of the State Board of Equalization," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that same be concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, after having had under consideration Senate Bill No. 176, by Annin, entitled, "An Act relating to the payment of salaries of Justices of the Supreme Court and Judges of the District Court," beg leave to report as follows: That same be reported back to the House with the recommendation that it be concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 200, by Williams, a Bill for an Act entitled, "An Act to amend Section 1 of Chapter 13 of the Laws of the Thirteenth Legislative Assembly of the State of Montana, relative to the State Traveling Parole Commissioner," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it be concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, after having had under consideration Senate Bill No. 193, by Stevens, entitled, "An Act relating to special improvements in districts in thickly populated localities outside of the limits of incorporated towns and cities, and empowering the Board of County Commissioners to create special improvement districts in such localities for the purpose of constructing sanitary and storm sewers and installing lights, water works plants and such other special improvements as may be petitioned for by sixty per cent of the freeholders affected by the same, and providing for the levy and collection of special assessments to pay for the same and to extend the payment of installments over any period not exceeding eight years, and to provide for the issuance of special improvement warrants or bonds in such special improvement district," beg leave to report as follows: That same be reported back to the House with the recommendation that it be concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 160, by Jones, a Bill for an Act entitled, "An Act to provide for the validation of certain instruments and records which have heretofore been filed, recorded or made in the State of Montana," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it be concurred in.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, after having had under consideration Senate Bill No. 150, by Kinney, entitled, "An Act to amend Section 1 of Chapter 8 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to unfair competition and discrimination, and providing penalty for the infraction of the provisions thereof," beg leave to report as follows: That same be reported back to the House with the recommendation that it be concurred in.

Report adopted.

McMahon: I move that we proceed to Ninth Order of Business and that House Bills Nos. 431, 441, 439, 449, 447 and 352, and H. J. R. No. 9 be considered correctly engrossed and placed on Third Reading.

Motion carried.

### THIRD READING OF HOUSE BILLS.

H. B. No. 449, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Ball, Belden, Bent, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Clark, Cotter, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektuan, Shaw, Stimpert, Weil, Working, Mr. Speaker—68.

Noes: None.

Absent and not voting: Andrew, Ashby, Baxter, Bernard, Blake, Blodgett, Burnworth, Connolly, Crismas, Crowley, Eliel, Fishbaugh, Grimes, Holt, Ingalls, Jensen, Jones, Kelsey, Lusk, McClory, O'Brien, Phelps, Quaintance, Spain, Ward, Wheat, White—27.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 445, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Belden, Bent, Booth, Brooks, Buell of Missoula, Buchanan, Carll, Clark, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White, Working—79.

Noes: None.

Absent and not voting: Andrew, Baxter, Bernard, Blake, Blodgett, Buell of Gallatin, Burnworth, Connolly, Farmer, Fishbaugh, Holt, Lusk, McClory, O'Brien, Ward; Mr. Speaker present but not voting—16.

Title agreed to and Bill transmitted to Senate for concurrence.

H. J. R. No. 9, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Bernard, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Phelps, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, White, Working—86.

Noes: None.

Absent and not voting: Andrew, Burnworth, Farmer, Grimes, Holt, Lusk, McClory, Ward; Mr. Speaker present but not voting—9.

Title agreed to and Resolution transmitted to Senate for concurrence.

H. B. No. 447, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—84.

Noes: None.

Absent and not voting: Andrew, Bernard, Blodgett, Burnworth, Farmer, Fishbaugh, Holt, Husser, McClory, Phelps; Mr. Speaker present but not voting—11.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 439, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Ball, Belden, Blake, Booth, Brooks, Buell of Missoula, Buchanan, Clark, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Henderson, Henry, Higgins, Holt, Hurd, Husser, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Mason, Middleton, Mor-



ris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, White, Working—65.

Noes: Baldwin, Carll, Hathaway, Hawks, Huffaker, Jones, Mr. Speaker—7.

Absent and not voting: Andrew, Baxter, Bent, Bernard, Blodgett, Buell of Gallatin, Burnworth, Connolly, Cotter, Crismas, Farmer, Fishbaugh, Grimes, Ingalls, Jensen, Kelsey, Kemmis, McClory, McMillan, Phelps, Rasmussen, Ward, Wheat—23.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 441, having been read three several times, was passed by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Belden, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Carll, Clark, Connolly, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, White, Working—75.

Noes: None.

Absent and not voting: Andersen (Charles), Andrew, Baxter, Bernard, Blodgett, Burnworth, Cotter, Crowley, Cutts, Eaton, Grimes, Hawks, Ingalls, Kemmis, McClory, McMillan, Phelps, Ward, Wheat; Mr. Speaker present but not voting—20.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 348, 395, 244, 296, 396, 91, 329, House Joint Memorial No. 7 and House Joint Resolution No. 8, beg leave to report same back as correctly enrolled.

Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 348, 395, 244, 296, 396, 91, 329, H. J. M. No. 7 and H. J. R. No. 8, and signed same in the presence of the House.

H. B. No. 352, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, White, Working—82.

Noes: None.

Absent and not voting: Andrew, Baxter, Bernard, Burnworth, Gould, Grimes, Hathaway, Johnston of Ravalli, Phelps, Rasmussen, Ward, Wheat; Mr. Speaker present but not voting—13.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 431, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow,

Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Working—83.

Noes: None.

Absent and not voting: Baxter, Bernard, Buell of Gallatin, Burnworth, Cotter, Dodds, Gould, Hathaway, Phelps, Wheat, White; Mr. Speaker present but not voting—12.

Title agreed to and Bill transmitted to Senate for concurrence.

Kehoe: I move that the House do now resolve itself into a Committee of the Whole for the consideration of General Orders; that debate be limited to ten minutes upon any one Bill, and that Sub. S. B. No. 62 and H. B. No. 51 be re-referred to the Sifting Committee.

Motion carried.

Holt: I move that S. B. No. 16 be re-referred to the Sifting Committee and that the Committee be instructed to substitute a Bill that will amend the present primary law in its place.

Motion carried.

### GENERAL ORDERS.

Johnston of Ravalli in the Chair.

House resumed.

Mr. Speaker in the Chair.

Johnston of Ravalli, from the Committee of the Whole, reported as follows: Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 159, by Slayton, entitled, "An Act to amend Section 4535 of the Revised Codes of Montana of 1907, relating to monuments and fences and the duty of co-terminous owners with reference to the maintaining of the same," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 188, by Roberts, entitled, "An Act amending Section 459 of the Revised Codes of Montana, 1907, fixing the compensation of Boards of Election," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 78, by Haley, entitled, "An Act to fix, define and determine the boundaries of Prairie County, Montana," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 28, by Meadors, entitled, "An Act to provide for the organization of special road districts in the several counties of the State, to provide for the election and appointment of directors, and other officers for special road districts, prescribing their duties and regulating the government thereof, and to provide for the levy of taxes in special road districts and the disbursements of the special road district fund," report same back to the House with the recommendation that same be amended as follows, to-wit:

Amend Sections 3 and 4 by striking out the entire Sections.

Amend Section 5 by striking out in line 70 the word "school."

Amend Section 7 by adding thereto the following: "Board of three directors to serve until the next general election."

Amend Section 10 by striking out in line 123 the words "organized into," and inserting in lieu thereof the word "where" and by inserting in line 124, after the word "Act," the words "are organized."

Amend Section 20 by striking out the word "shall" in line 240 and inserting in lieu thereof the word "may"; and that, as amended, it be concurred in.

Report adopted.

Andersen: I move that the attempted Sub. H. B. No. 330 be re-referred to General Orders.

Lusk: I move that motion of Andersen be laid upon the table.

Motion to lay on table carried by standing vote of 36 to 31.

No objection being offered, House reverted to Seventh Order of Business.

### CONSIDERATION OF MESSAGES FROM THE GOVERNOR.

The following communication was received from His Excellency, the Governor:

Executive Office, Helena, Montana, February 28, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I am returning herewith House Bill No. 333, entitled, "An Act to amend Section 1 of Chapter 55 of the Laws of the Fourteenth Legislative Assembly of the State of Montana, relating to wagers," without my approval and with my objections thereto.

I do hereby veto the Bill and refuse my approval of the same for the reason that I do not believe in the principles involved in the attempted legislation.

As the Bill passed both Houses by substantial majorities, I take occasion to return it promptly in order that the members may have an opportunity to consider the veto before adjournment.

Respectfully submitted,

S. V. STEWART, Governor.

Higgins: I move that consideration of the Governor's veto be postponed until 3:00 o'clock this afternoon.

Kemmis: As a substitute, I move that the House act upon the Governor's veto at once.

Substitute motion lost by standing vote of 34 to 40 and motion of Higgins carried.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, beg leave to report back to the House that the following Bills have been delivered to the Governor, and duly receipted for by him: House Bills Nos. 329, 244, 296, 396, 348, 91, House Joint Memorial No. 7, House Joint Resolution No. 8 and House Bill No. 395.

Lewis: I move that Sub. H. B. No. 330 be re-referred to Committee on Public Morals.

Lusk: I move that motion of Lewis be laid upon the table.

Roll call demanded and motion to lay on table lost by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Ball, Blake, Blodgett, Brooks, Buell of Missoula, Carll, Clark, Connolly, Crowley, Cutts, Duffy, Farmer, Fishbaugh, Grimes, Gullidge, Higgins, Huffaker, Ironside, Jensen, Johnson of Deer Lodge, Jones, Lanstrum, Lusk, McClory, McDonald, McMillan, McQuarrie, Middleton, Morrow, Murray, O'Brien, Prosser, Quaintance, Searles, Shaw, Ward—39.

Noes: Andersen (Charles), Arneson, Baldwin, Bent, Booth, Buell of Gallatin, Buchanan, Burnworth, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Fuller, Griffin, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Hurd, Ingalls, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Mason, Morrow, Rainey, Rasmussen, Sand, Scott, Sektnan, Spain, Stimpert, Weil, Working—43.

Absent and not voting: Baxter, Belden, Bernard, Cotter, Crismas, Gould, Husser, McMahon, Page, Phelps, Wheat, White; Mr. Speaker present but not voting—13.

Searles: As a substitute for the motion of Lewis, I move that Sub. H. B. No. 330 be re-referred to the Committee on Fish and Game.

Roll call demanded and substitute motion lost by the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Ball, Baxter, Blodgett, Booth, Brooks, Carll, Clark, Connolly, Crowley, Cutts, Duffy, Farmer, Fishbaugh, Fuller, Grimes, Higgins, Huffaker, Hurd, Ironside, Jensen, Jones, Lanstrum, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Middleton, Morris, Murray, O'Brien, Prosser, Quaintance, Searles, Shaw, Ward—40.

Noes: Andersen (Charles), Arneson, Baldwin, Bent, Blake, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Cotter, Davis, Deibel, Demel, Dodds, Eaton, Eliel, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Mason, Morrow, Rainey, Rasmussen, Sand, Scott, Sektnan, Spain, Stimpert, Weil, White, Working—47.

Absent and not voting: Belden, Bernard, Crismas, Husser, Page, Phelps, Wheat; Mr. Speaker present but not voting—8.

Higgins: As a substitute, I move that Sub. H. B. No. 330 be re-referred to Committee on Judiciary.

Motion carried.

Murray: I move that the Judiciary Committee be instructed to report on Sub. H. B. No. 330 not later than 4:00 o'clock this afternoon.

Andersen: I move that motion of Murray be laid upon the table.

Motion to lay on table lost by standing vote of 39 to 42 and original motion prevailed.

White, from the Sifting Committee, reported as follows:

Mr. Speaker: We, your Sifting Committee, beg leave to report and recommend that the following Bills be placed on General Orders: Senate Bills Nos. 153, 141, 116, 169, 164, 99, 195, 140, 193, 17, House Bills Nos. 424, 451, 452, 281, 322.

Report adopted.

On motion of Blake, House reverted to Sixth Order of Business.

### MOTIONS AND RESOLUTIONS.

Blake: I move to take from the table the motion to segregate S. B. No. 122 from the Committee of the Whole report.

Motion carried.

Belden: I move that S. B. No. 122 be segregated from the Committee of the Whole report.

Motion declared out of order by Speaker, as Bill had been returned to Senate and was therefore out of the jurisdiction of the House.

McClory: I move that the Sifting Committee be instructed to place S. B. No. 16 upon General Orders for this afternoon.

Motion carried.

Gullidge: I move that H. B. No. 322 be made a special order of business for 2:00 o'clock.

McMillan: I move that motion be laid upon the table.

Motion to lay on table carried.

Kemmis: I move that Senate Bills be placed ahead of all Bills except appropriation Bills on General Orders.

Motion carried.

No objection being offered, House reverted to Fourth Order of Business.

### REPORTS OF STANDING COMMITTEES.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 118, by Healy, a Bill for an Act entitled, "An Act to provide a method of voting at general, special and primary elections, including general and special and primary municipal elections, by electors absent or expecting to be absent, on the day of such election from the county in which they are electors, and making regulations regarding such voting, and to repeal Chapter 110 of the Session Laws of 1915, known as the Absent Voters' Law," respectfully beg leave to report as follows: That said Bill be reported back to the House with the recommendation that it be concurred in.

Report adopted.

Hathaway, from the Committee on Public Morals, Charities and Reforms, reported as follows:

Mr. Speaker: We, your Committee on Public Morals, Charities and Reforms, having had under consideration House Bill No. 287, introduced by Carll, respectfully beg leave to report as follows: That we report same back to the House with the recommendation that it do not pass.

Report adopted.

On motion of Rasmussen, House recessed until 1:30 P. M.

### AFTERNOON SESSION.

House resumed at 1:30 P. M.

Mr. Speaker in the Chair.

Mr. Speaker notified the House that he was about to sign Senate Bills Nos. 10, 45, 92, 101, 179, 110 and Senate Joint Resolution No. 5, and signed same in the presence of the House.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred



House Bills Nos. 352 and 447, beg leave to report same back as correctly engrossed.

Report adopted.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures, having this day been read three several times and concurred in as amended, titles agreed to, are herewith transmittd to your Honorable Body for concurrence in Senate amendments:

H. B. No. 18, by Baldwin.

H. B. No. 230, by Gullidge.

H. B. No. 225, by Harmon.

H. B. No. 222, by Holt.

H. B. No. 199, by Higgins.

H. B. No. 180, by Shaw.

H. B. No. 345, by Gould.

H. B. No. 171, by Fairs and Expositions Committee.

H. B. No. 144, by White.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures, having this day been read three several times and concurred in, titles agreed to, are herewith returned:

H. B. No. 183, by Andrsn.

H. B. No. 276, by Cotter.

H. B. No. 426, by Committee on Appropriations.

H. B. No. 312, by Committee on Appropriations.

H. B. No. 298, by White.

H. B. No. 284, by Clark.

H. B. No. 270, by Anderson.

H. J. M. No. 8, by Kemmis and Anderson.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day on third reading acted unfavorably on Sub. H. B. No. 155, by White, Sektnan, Holt and Bernard, and same is herewith returned to the House.

Respectfully,

J. F. CONE, Secretary of the Senate.

McMahon: I move that all Bills which have been or which may be considered correctly engrossed, be correctly engrossed before being transmitted to the Senate.

Motion carried.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 159, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Ball, Baxter, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow

Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Weil, Wheat, White—83.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Baldwin, Belden, Bernard, Carll, Eliel, Harmon, Phelps, Rainey, Ward, Working; Mr. Speaker present but not voting—12.

Title agreed to and Bill returned to Senate.

S. B. No. 28, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Dodds, Duffy, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Weil, Wheat, White—81.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Belden, Bernard, Carll, Deibel, Eliel, McMillan, O'Brien, Page, Phelps, Rainey, Ward, Working; Mr. Speaker present but not voting—14.

Title agreed to and Bill returned to Senate for concurrence in House amendments.

S. B. No. 78, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Baxter, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Cotter, Crismas, Cutts, Dodds, Duffy, Eaton, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henry, Higgins, Holt, Huffaker, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Prosser, Quaintance, Scott, Searles, Sektan, Spain, Stimpert, Weil, White—63.

Noes: Ashby, Deibel, Demel, Fuller, Henderson, Hurd, Kelsey, Rainey, Rasmussen, Shaw, Wheat—11.

Absent and not voting: Anderson (Oscar W.), Baldwin, Ball, Belden, Bernard, Blodgett, Carll, Clark, Connolly, Crowley, Davis, Eliel, Farmer, Murray, O'Brien, Page, Phelps, Sand, Ward, Working; Mr. Speaker present but not voting—21.

Title agreed to and Bill returned to Senate for concurrence in House amendments.

S. B. No. 188, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Ball, Baxter, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Jensen, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Weil, Wheat, White, Working—75.

Noes: Johnson of Deer Lodge—1.

Absent and not voting: Anderson (Oscar W.), Andrew, Baldwin, Belden, Bernard, Carll, Crowley, Cutts, Davis, Ironside, Lanstrum, Larse, McMillan, Murray, Phelps, Rainey, Stimpert, Ward; Mr. Speaker present but not voting—19.

Title agreed to and Bill returned to Senate.

Senate amendments to H. B. No. 345 were concurred in by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Ball, Baxter, Bent, Blake, Blodgett, Booth, Brooks, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Huffaker, Hurd, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Larse, Lemmon, Lusk, McClory, McDonald, McMahon, McQuarrie, Middleton, Morris, Morrow, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Searles, Shaw, Spain, Stimpert, Weil, Wheat, White, Working—70.

Noes: Buell of Missoula, Davis, Higgins, Holt, Husser, Kemmis, Lewis, Mason, Sand, Scott, Sektan—11.

Absent and not voting: Anderson (Oscar W.), Andrew, Baldwin, Belden, Bernard, Clark, Eliel, Ingalls, Lanstrum, McMillan, Murray, Phelps, Ward; Mr. Speaker present but not voting—14.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 230 were concurred in by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Blake, Blodgett, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Crismas, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Weil, Wheat, White, Working—81.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Belden, Bernard, Booth, Cotter, Crowley, Cutts, Eliel, Husser, Lanstrum, Phelps, Rainey, Ward; Mr. Speaker present but not voting—14.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 225 were concurred in by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Ball, Baxter, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Crismas, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Scott, Searles, Sektan, Spain, Stimpert, Weil, Wheat, White, Working—72.

Noes: Connolly—1.

Absent and not voting: Anderson (Oscar W.), Andrew, Baldwin, Belden, Bernard, Clark, Crowley, Davis, Eliel, Gould, Grimes, Husser, Lanstrum, McDonald, McMillan, Phelps, Rainey, Sand, Shaw, Ward; Mr. Speaker present but not voting—22.

Bill referred to Engrossing Committee.

Senate amendments to House Bill No. 222 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baxter, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, White, Working—78.

Noes: Ashby, Ball, Prosser, Wheat—4.

Absent and not voting: Andrew, Baldwin, Belden, Bernard, Buell of Gallatin, Connolly, Crowley, Eliel, Grimes, Johnston of Ravalli, McMillan, Phelps; Mr. Speaker present but not voting—13.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 199 were concurred in by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Ball, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Cutts, Davis, Deibel, Demel, Duffy, Eaton, Eliel, Farmer, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Weil, White—80.

Noes: Baxter—1.

Absent and not voting: Anderson (Oscar W.), Andrew, Baldwin, Belden, Bernard, Clark, Crowley, Dodds, Fishbaugh, McMillan, Phelps, Ward, Working; Mr. Speaker present but not voting—14.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 180 were concurred in by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Weil, Wheat, White—83.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Bernard, Connolly, Crowley, Gould, Hawks, Henderson, McMillan, Phelps, Ward, Working; Mr. Speaker present but not voting—12.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 171 were concurred in by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Crismas, Crowley, Cutts, Davis, Demel, Duffy, Eaton, Eliel, Farmer, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, White—83.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Belden, Bernard, Blodgett, Deibel, Dodds, Gould, Henderson, Henry, Phelps, Working; Mr. Speaker present but not voting—12.

Bill referred to Engrossing Committee.

Lewis: I move that the House do now resolve itself into a Committee of the Whole for the consideration of General Orders and that debate be limited to ten minutes unless otherwise desired by the Committee.

Motion carried.



## GENERAL ORDERS.

Farmer in the Chair.

House resumed.

Mr. Speaker in the Chair.

Farmer, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 75, by Annin, entitled, "An Act relating to intoxicating liquors, prohibiting the soliciting and taking of orders therefor, the advertisement thereof, declaring certain places to be nuisances and providing for their abatement, regulating the transportation thereof, and providing for the search and seizure and destruction thereof, prescribing the powers and duties of certain officers, providing for the removal of certain officers for failure, neglect or refusal to perform their duties, prescribing the forms of procedure and the rules of evidence in actions and proceedings under the laws relating to intoxicating liquors and fixing the penalties for violations thereof," report same back with the recommendation that Section 2 be amended by striking out the words "every other" in line 7, and that, as amended, same be re-referred to General Orders.

Report adopted.

On motion of Demel, seconded by fifteen members, a Call of the House was ordered and the following members were found to be absent: Baldwin, Belden, Bernard, Eliel, Harbert, Harmon, Ingalls, McClory, Phelps, Wheat. The following members appeared on the floor of the House: Belden, Harmon, Ingalls, and on motion of Lanstrum, call of the House was suspended.

The time having arrived for special order of business, the roll was called as to whether H. B. No. 333 should be passed over the Governor's veto and resulted in the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Ball, Baxter, Blodgett, Booth, Brooks, Buchanan, Clark, Connolly, Crowley, Cutts, Duffy, Farmer, Fuller, Grimes, Henry, Higgins, Huffaker, Hurd, Husser, Ironside, Jensen, Jones, Lanstrum, Lusk, McDonald, McMahon, McMillan, McQuarrie, Middleton, Morris, Murray, O'Brien, Page, Prosser, Quaintance, Scott, Searles, Shaw, Ward, Working—43.

Noes: Andersen (Charles), Arneson, Bent, Blake, Buell of Missoula, Buell of Gallatin, Burnworth, Carll, Cotter, Crismas, Davis, Deibel, Demel, Dodds, Eaton, Fishbaugh, Gould, Griffin, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Holt, Ingalls, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Mason, Morrow, Rainey, Rasmussen, Sand, Sektnan, Spain, Stimpert, Weil, White—44.

Absent and not voting: Baldwin, Belden, Bernard, Eliel, McClory, Phelps, Wheat; Mr. Speaker present but not voting—8.

Governor's veto sustained.

White, from the Sifting Committee, reported as follows:

Mr. Speaker: We, your Sifting Committee, recommend that Senate Bill No. 16 be placed on General Orders.

Report adopted.

Rasmussen: I move that the House do now resolve itself into a Committee of the Whole for the consideration of General Orders, and that debate be limited to ten minutes upon any one Bill.

Motion carried.

## GENERAL ORDERS.

Lemmon in the Chair.

House resumed.

Mr. Speaker in the Chair.

Lemmon, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole beg leave to arise and report with a recommendation that the Committee do sit again.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, after having had under consideration Substitute House Bill No. 330, entitled, "An Act to amend Section 19 of Section 3259 of the Revised Codes of the State of Montana, 1907, relating

to the powers of city and town councils," beg leave to report as follows: That the same be reported back to the House with the recommendation that it do not pass.

The following minority report was received from the Committee on Judiciary:

Mr. Speaker: We, a minority of your Committee on Judiciary, after having had under consideration Substitute House Bill No. 330, entitled, "An Act to amend Section 19 of Section 3259 of the Revised Codes of the State of Montana, 1907, relating to the powers of city and town councils," beg leave to report as follows: That the same be reported back to the House with the recommendation that it be placed on General Orders.

(Signed) BLODGETT,  
WARD,  
ANDREW.

Belden: I move the adoption of the majority report.

Blodgett: As a substitute, I move the adoption of the minority report.

Roll call demanded and substitute motion lost by the following vote:

Ayes: Andrew, Ball, Blodgett, Booth, Clark, Connolly, Crowley, Cutts, Davis, Duffy, Eliel, Farmer, Fishbaugh, Grimes, Gould, Ironside, Jensen, Johnson of Deer Lodge, Jones, Lanstrum, McMahon, Middleton, Morris, Murray, O'Brien, Page, Prosser, Quaintance, Searles, Shaw, Ward—31.

Noes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Belden, Bent, Blake, Brooks, Buell of Missoula, Buell of Gallatin, Burnworth, Carll, Cotter, Crismas, Deibel, Demel, Dodds, Eaton, Fuller, Gould, Griffin, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McClory, McMillan, McQuarrie, Mason, Morrow, Rainey, Rasmussen, Sand, Scott, Sektnan, Spain, Stimpert, Weil, White, Working—57.

Absent and not voting: Ashby, Baxter, Bernard, McDonald, Phelps, Wheat; Mr. Speaker present but not voting—7.

Majority report adopted.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred House Bills Nos. 225 and 180, beg leave to report same back as correctly engrossed as to Senate amendments.

Report adopted.

On motion of Rasmussen, House resolved itself into a Committee of the Whole for consideration of General Orders.

### GENERAL ORDERS.

Lemmon in the Chair.

House resumed.

Mr. Speaker in the Chair.

Lemmon, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 75, by Annin, entitled, "An Act relating to intoxicating liquors, prohibiting the soliciting and taking of orders therefor, the advertisement thereof, declaring certain places to be nuisances and providing for their abatement, regulating the transportation thereof, and providing for the search and seizure and destruction thereof, prescribing the powers and duties of certain officers, providing for the removal of certain officers for failure, neglect or refusal to perform their duties, prescribing the forms of procedure and the rules of evidence in actions and proceedings under the laws relating to intoxicating liquors and fixing the penalties for violations thereof," report same back with the recommendation that same be amended as follows, to-wit:

Amend Section 38 by adding the following: "and nothing in this Act shall apply to the manufacture or sale of denatured alcohol, nor to wine intended for sacramental purposes, nor to alcohol intended for scientific or manufacturing purposes."

Amend Section 38 by adding thereto the following words: "except such provisions hereof as may amend same or add thereto"; and that, as amended, same be concurred in.

Also, having had under consideration S. B. No. 16, by O'Shea and Morris, entitled, "An Act to create a State Board of Hail Insurance; defining the duties and powers of said Board, and of public officers in connection therewith; providing for the levy and collection of taxes on all lands subject to injury or destruction by hail of all taxpayers who may elect to become subject to the provisions of this Act; providing for a hail insurance fund; providing for the appointment of appraisers, the appraisal and adjustment of losses, and the settlement therefor; and repealing all Acts which may in any way conflict with this Act," report same back with the recommendation that Section 10 be amended by striking out in line 103 all of the Section after the word "exceed" and inserting in lieu thereof the words, "\$12.00 per acre for grain crops, and \$5.00 per acre for hay crops"; and that, as amended, it be concurred in.

Also, having had under consideration H. B. No. 451, by Committee on Appropriations, entitled, "An Act appropriating money for the purpose of defraying the expenses of the State Highway Commission in co-operating with the Federal Government under the Act of Congress of July 11, 1916, and authorizing the State Highway Commission to make such expenditures, and further authorizing the State Highway Commission to enter into contracts and agreements with the United States Government relating to the construction and maintenance of roads under this Act," report same back with the recommendation that it be indefinitely postponed.

Also, having had under consideration H. B. No. 452, by Committee on Appropriations, entitled, "An Act appropriating money for the deficiency claims of certain persons for services rendered and supplies furnished on account of the State Board of Health, which claims were approved by the State Board of Examiners," report same back with the recommendation that it do pass.

Also, having had under consideration S. B. No. 193, by Stevens, entitled, "An Act relating to special improvements in districts in thickly populated localities outside of the limits of incorporated towns and cities, and to empower the Board of County Commissioners to create special improvement districts in such localities for the purpose of constructing sanitary and storm sewers and installing lights, water works plants and such other special improvements as may be petitioned for by sixty per cent of the freeholders affected by the same, and providing for the levy and collection of special assessments to pay for the same and to extend the payment of installments over any period not exceeding eight years, and to provide for the issuance of special improvement warrants or bonds in such special improvement district," report same back with the recommendation that it be not concurred in.

Also, having had under consideration S. B. No. 140, by Heren, entitled, "An Act to amend Section 2585 of the Revised Codes of the State of Montana," report same back with the recommendation that it be re-referred to Sifting Committee.

Also, having had under consideration S. B. No. 195, by Williams, entitled, "An Act to amend Section 3894 of the Revised Codes of Montana of 1907, relating to the decrease or increase of the capital stock of corporations, the creation or increase of the bonded indebtedness of corporations, or the extensions or changes in the business of corporations, and the manner whereby such changes may be accomplished," report same back with the recommendation that it be re-referred to Sifting Committee.

Also, having had under consideration S. B. No. 99, by Whiteside, entitled, "An Act to permit co-operative associations organized under the laws of the State of Montana, to consolidate their interests and capital stock, and designating the procedure to be followed to effect such consolidations," report same back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 141, by Roberts, entitled, "An Act to amend Section 2109 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana, relating to the submission to electors of question of bond issue for county high schools," report same back with the recommendation that it be concurred in.

Also, having had under consideration Sub. S. B. No. 164, by Whiteside, entitled, "An Act to accept the terms and provisions of the Federal Act giving aid

to the several states for vocational education, and to authorize the State Board of Education to establish vocational education in the public elementary schools and public high schools of the State; to provide for the training of teachers of vocational subjects, designating the State Treasurer as custodian for vocational education with authority to accept and disburse money received from the Federal Government for such vocational education, and the training of teachers and appropriating money to meet appropriations made by the Federal Government for such purposes," report same back to the House with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 17, by O'Shea, entitled, "An Act to combine the offices of State Inspector of Boilers, Inspector of Steamboats, State Inspector of Mines and State Coal Mine Inspector, and placing all of said officers under the supervision of the Industrial Accident Board; fixing the salaries thereof and defining their duties and powers; and amending Section 55A and Section 55B, Chapter 96, Laws of the Fourteenth Legislative Assembly, being an Act known as the Workmen's Compensation Act, and repealing Chapter 63 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana," report same back with the recommendation that it be re-referred to the Sifting Committee.

Also, having had under consideration S. B. No. 169, by Banks and Banking Committee, entitled, "An Act to amend Sections Nine (9), Eleven (11), and Fifty-one (51), of Chapter Eighty-nine (89), Acts of the Fourteenth Legislative Assembly of the State of Montana, being an Act entitled, 'An Act regulating the business of banking; providing for the creation and regulation of banking corporations; creating the Department of Banking and prescribing the duties and fixing the salaries of its officers and employees,' and repealing Title Two (2), Part Four (4), of Division One (1), of the Civil Codes of Montana, entitled, 'Banks and Banking,' being the provisions of Sections 2909 to 4015, both numbers inclusive, Revised Codes of Montana, 1907, and all Acts amendatory thereof, and to add six new Sections thereto to be numbered 16A, 16B, 16C, 16D, 16E and 16F, all relating to the business of banking and the department of banking," report same back with the recommendation that it be re-referred to the Sifting Committee.

Also, having had under consideration S. B. No. 153, by Smith, entitled, "An Act to provide for the construction of commercial or industrial spurs from railroads, and to give the Board of Railroad Commissioners of the State of Montana power and authority with reference thereto," report same back with the recommendation that it be concurred in.

Lemmon: I move the adoption of the report.

Lewis: I move, as a substitute, that S. B. No. 193 be segregated from the report and that, as segregated, the report be adopted.

McMahon: As an amendment to the motion of Lewis, I move that H. B. No. 451 be segregated also.

Lusk: I move that motion of Lewis and the amendment by McMahon be indefinitely postponed.

Motion carried and report of the Committee of the Whole adopted.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 16, 270 and 426, beg leave to report same back as correctly enrolled.

Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 16, 270 and 426, and signed same in the presence of the House.

Cutts: I move that the Sifting Committee be instructed to refrain from placing any Senate Bills on General Orders, in contravention to Joint Rule No. 24.

Belden: I move, as a substitute, that the Speaker appoint a Committee of three to act with a like Committee from the Senate, on the transmission of Bills between the two bodies, as covered by Joint Rule No. 24.

Motion carried and Mr. Speaker appointed Belden, Higgins and McMahon to act on the Committee.

Mr. Speaker notified the House that he was about to sign Senate Bills Nos.



85, 155, 167, 166, 6 and Senate Joint Memorial No. 3, and signed same in the presence of the House.

On motion of Lemmon, House adjourned until 10:00 A. M., Thursday, March 1, 1917.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.

## SIXTIETH DAY

Thursday, March 1, 1917.

House met at 10:00 A. M., pursuant to adjournment.

Mr. Speaker in the Chair.

Prayer by the Chaplain.

Roll called. All members present.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 222, 298, 276, 284, 180, 351 and 400, a Substitute for House Bills Nos. 100 and 46, and House Joint Memorial No. 8, beg leave to report same back as correctly enrolled.

Report adopted.

Connolly, from the Committee on Engrossment, reported as follows:

Mr. Speaker: We, your Committee on Engrossment, to whom was referred Substitute for House Bill No. 199, beg leave to report same back as correctly engrossed as to Senate amendments.

Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 400, 222, 298, 276, 284, 180, 351 and House Joint Memorial No. 8, and signed same in the presence of the House.

### CONSIDERATION OF MESSAGES FROM THE GOVERNOR.

The following communication was received from His Excellency, the Governor:

Executive Office, Helena, Montana, March 1, 1917.

The Speaker of the House of Representatives, Helena, Montana:

You will recall that in the regular message submitted at the beginning of the session the attention of the Legislature was directed to the necessity of passing laws to enable the State to take advantage of the Federal aid in good roads matters. Some Bills have been introduced along this line, some of which have been killed. One Senate Bill has been passed by both Houses and is ready for executive consideration, to-wit: Senate Bill No. 167.

I am just in receipt of a letter from the Secretary of Agriculture in which he insists that the assent of the State should be plain and unequivocal, and should not delegate the authority to some officer or board to make the assent. The Senate Bill authorizes the State Highway Commission to assent to the provisions of the Act of Congress.

There is pending before you House Bill No. 51, which seeks to authorize the Governor to assent. This Bill can be amended so that the State directly consents instead of the Governor being authorized to consent. I would respectfully suggest that House Bill No. 51 may be amended to meet the requirements of the government if the first two lines of Section 1 are made to read "The State of Montana hereby assents to the provisions of the Act of Congress, etc.," instead of the Governor, as in the case of House Bill No. 51, and instead of the Highway Commission as in the case of Senate Bill No. 167.

I am transmitting herewith the letter of the Secretary of Agriculture for your appropriate consideration.

All of this is done in order that there may be no misunderstanding in case of failure to provide for the acceptance of the Federal aid, as there is ample time to get House Bill No. 51 amended and passed.

I would also respectfully suggest that House Bill No. 51 is a revenue measure, being designed solely to enable the State of Montana to accept the Federal aid, and I am sure therefore that it will not fall within the prohibition of the Senate rule.

(Signed) S. V. STEWART, Governor.

Department of Agriculture, Washington, February 23, 1917.

Hon. S. V. Stewart, Governor of Montana, Helena, Montana.

Sir: Receipt is acknowledged of your letter of January 30, with a letter from Mr. George R. Metlen, Secretary, Montana Department of Highways, and a copy of a Bill introduced by Representative Jensen to provide means whereby the State of Montana may obtain the benefits of the Federal Aid Road Act. The Bill introduced by Representative Jensen authorizes the Governor for and on behalf of the State of Montana to assent to the provisions of the Act. It is believed that, in order to comply strictly with the intent of Section 1 of the Federal Aid Road Act, the Legislature should give its assent on its own behalf, since the assent of the Governor is made sufficient only until the final adjournment of the first regular session of the Legislature, after the passage of the Act.

The Bill further provides that the State Highway Commission is authorized to enter into all contracts and agreements with the United States Government relating to the construction and maintenance of rural post roads under the provisions of the Federal Aid Road Act, to submit such scheme or program of construction and maintenance as may be required by the Secretary of Agriculture and do all other things necessary fully to carry out the co-operation contemplated and provided for by the Act. Section 2 then provides that all Acts and parts of Acts in conflict therewith are repealed.

As suggested in the Department's letter of January 11, 1917, the provisions of the present laws of the State requiring the counties to award contracts for road construction and the constitutional limitation against the counties entering into any contract or other obligation in excess of \$10,000 without the approval of the majority of the electors of the county, would probably cause the only difficulty to effective co-operation with the Highway Commission. Unless in the opinion of the Attorney General of the State, that provision of the Bill empowering the Highway Commission to do all things necessary fully to carry out the co-operation contemplated and provided for by the Federal Aid Road Act, will give the State Highway Commission authority to award the contracts, it is suggested that such authority be specifically granted the Commission, and thus make full and effective co-operation possible.

Section 1 of the Bill further pledges the good faith of the State and the several counties to make available sufficient funds to equal the sums apportioned to the State by the United States during each of the five years for which Federal funds are appropriated and to maintain the roads and make adequate provisions for carrying out such maintenance. It also provides that all moneys accruing to the State Highway Fund created by the Bill, shall be expended on the roads comprising a system of State roads. The Bill, however, fails to create a highway fund and, of course, should be amended in this respect.

It is not understood whether any additional legislation making specific appropriations is contemplated. While it might possibly be preferred that a State highway fund be created and specific provision for making sufficient funds available be made, it is believed that the pledge of the good faith of the State and the counties to raise the necessary funds will substantially comply with the terms of the Federal statute in this respect.

Respectfully,

D. F. HOUSTON, Secretary.

Rasmussen: I move that the communication from the Governor be referred to the Committee on Highways.

Motion carried.

Kehoe: I move that the House reconsider the vote by which the report of the Committee of the Whole of yesterday on H. B. No. 451 was adopted.

Motion carried.

McMahon: I now move that H. B. No. 451 be re-referred to General Orders.

Motion carried.

Ironside, from the Committee on Journal, reported as follows:

Mr. Speaker: We, your Journal Committee, beg leave to report that we have examined the Journal of the fifty-ninth day and find the same to be correct.

Report adopted.

Hawks, from the Committee on Printing, reported as follows:

Mr. Speaker: We, your Committee on Printing, to whom was referred House Bills Nos. 453 and 435, beg leave to report same back correctly printed.

Report adopted.

#### REPORTS OF STANDING COMMITTEES.

McMahon, from the Sifting Committee, reported as follows:

Mr. Speaker: We, your Sifting Committee, recommend that H. B. No. 409 be placed on General Orders.

Report adopted.

Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 143, by Roberts, a Bill for an Act entitled, "An Act to appropriate money to establish and maintain normal training courses and junior college courses in high schools; to provide for apportionment of said money and to authorize the issuance of teachers' certificates to graduates of such normal training courses in high schools," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it be referred to Committee on Appropriations.

Report adopted.

Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 173, by Mershon, a Bill for an Act entitled, "An Act to amend Section 508 of Chapter 76 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana relating to the powers and duties of school trustees," respectfully beg leave to report as follows: That same be reported back to the House with the recommendation that it be concurred in.

Report adopted.

Andersen, from the Committee on Education, reported as follows:

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 189, Substitute for S. B. No. 144, by Roberts, a Bill for an Act entitled, "An Act to provide for normal training courses in high schools; providing that such high schools shall be free to all children of the respective counties, fixing requirements upon which teachers' certificates may be issued after July 1, 1920, and providing that certain expenditures for such purposes shall first be submitted to a vote of the qualified electors," respectfully beg leave to report as follows: That said Bill, being Substitute for S. B. No. 144, be reported back to the House with the recommendation that it be concurred in.

Report adopted.

Mason: I move that H. B. No. 434 be taken from the table and be referred to Third Reading.

Motion carried.

Crismas: I move that S. B. No. 17 be again placed on General Orders.

Motion carried.

Baldwin: I move that H. B. No. 18 be taken from General Orders and placed on Third Reading.

Motion carried.

McMahon: I move that the vote by which the report of the Committee of the Whole of yesterday was adopted be reconsidered.

Motion carried.

McMahon: I move that S. B. No. 193 be segregated from the report of the Committee of the Whole of yesterday and placed on General Orders.

Motion carried.

Higgins: I move that H. B. No. 409 be re-referred to Judiciary Committee.  
Motion carried.

### CONSIDERATION OF MESSAGES FROM GOVERNOR AND SENATE.

The following communications were received from His Excellency, the Governor:

Executive Office, Helena, Montana, February 28, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise you that I have this day approved the following House measures:

H. B. 97, relating to the incorporation of mutual hail insurance of growing crops against loss or damage by hail and farm improvements by fire.

H. B. 130, relating to the licensing of architects.

H. B. 143, relating to the desertion or abandonment of children.

H. B. 184, regulating the conditions under which wall paper shall be placed on walls in tenement houses, etc.

H. B. 296, providing for the extermination of gophers.

H. B. 348, making all places where intoxicating liquors are manufactured, sold or given away in violation of the law, common nuisances.

S. V. STEWART, Governor.

Executive Office, Helena, Montana, February 28, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise you that I have this day approved the following House measures:

H. B. 104, appropriating money for a refund to Silver Bow County.

H. B. 132, regulating hours of continuous employment of firemen.

H. B. 244, appropriation for refund to certain retail liquor dealers in Richland County.

H. B. 265, altering the boundaries between Rosebud and Yellowstone Counties.

H. B. 269, relating to payment of salaries of officers.

H. B. 279, defining the boundary line between Musselshell and Rosebud counties.

H. B. 290, appropriation to pay deficiency claim of Tim Driscoll.

H. B. 395, establishing a game preserve in South Moccasin Mountains.

H. B. 396, amending the General Highway Law.

H. J. M. 7, relative to policing Yellowstone National Park.

H. J. R. 8, relative to loaning of funds of the postal savings banks directly to public school districts.

S. V. STEWART, Governor.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate measure was this day reported from Standing Committee with recommendation:

Committee on Constitutional Amendments reported S. B. No. 120, by Clark by request, with the recommendation that the Bill be considered without recommendation from the Committee. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bill was this day reported from Standing Committee with recommendation:

Committee on Education reported H. B. No. 102, by Ward, relating to county libraries, with the recommendation that the Bill be not concurred in. Report not adopted and on motion Bill re-referred to Committee on Libraries.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body



that the following Bill was this day introduced, read first and second time, and referred as follows:

S. B. No. 206, by Joint Committee on Constitutional Amendments, by request, "An Act for the submission to the qualified electors of the State of Montana of an amendment to Sections 5 and 6, Article XVI, of the Constitution of the State of Montana, relating to the terms of officers and fixing the length of said terms at four years for all county, township and precinct officers and providing for the election of officers in case of two or more candidates having an equal number of votes." Referred to Committee on Constitutional Amendments.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day read first and second time and referred as follows:

H. B. No. 450, by Appropriations Committee. Referred to Committee on Finance and Claims.

H. B. No. 441, by Appropriations Committee. Referred to Committee on Finance and Claims.

H. B. No. 431, by Appropriations Committee. Referred to Committee on Finance and Claims.

H. B. No. 448, by Appropriations Committee. Referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in House amendments to S. B. No. 108, introduced by Committee on Irrigation and Water Rights, relating to area of irrigation districts.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills, having this day been read three several times and concurred in, titles agreed to, are herewith returned:

H. B. No. 351.

H. B. No. 150.

H. B. No. 164.

H. B. No. 400.

H. B. No. 349.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bill, having this day been read three several times and concurred in, as amended, title agreed to, is herewith transmitted to your Honorable Body for concurrence in Senate amendments:

H. B. No. 381.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read a third time and failed of passage and are herewith returned to the House:

H. B. No. 140, by Cotter.

H. B. No. 215, by Higgins.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body

that the Special Committee appointed to investigate charges preferred against the State Land Office, reported as follows:

We investigated items one and two of the charges and found that while probably there had been technical violations of the law, the action of the State Land Board in handling these matters saved the State from litigation and lost no money thereby.

In regard to charge No. 3, which included the timber exchange with the Federal Government, we beg to report that as far as we were able to ascertain, this exchange was made in a careful manner, and the interests of the State were at all times conserved.

The apparent neglect complained of in charge No. 5, we ascertained, was caused by the fact that the Federal Government withdrew this land as coal land, which prevented the State Land Board from selecting it.

In regard to charge No. 4, which was that of improperly and unjustly using the powers of their different offices to benefit and favor large stock interests in the selection and lease of lien lands, we beg to report that this is a question which could only be ascertained after careful investigation of the land selected, which of course this Legislative Committee was unable to do. We find the records of the office well kept and very complete. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day appointed a Committee of three—Senators Junod, Brower and Arnold—to confer with a like Committee from the House on Senate amendments to H. B. No. 86.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following House measures:

H. B. No. 329, by Ball.

H. B. No. 244, by Kemmis.

H. B. No. 296, by Holt and Johnson.

H. B. No. 396, by Joint Committee on Highways.

H. B. No. 395, by Anderson.

H. B. No. 348, by Kemmis.

H. B. No. 91, by Bernard.

H. J. M. No. 7, by McMahon.

H. J. R. No. 8, by Eaton.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Governor this day advised the Senate that he had approved the following Senate Bills:

S. B. No. 51, by Gallwey.

S. B. No. 87, by Heren.

S. B. No. 133, by Joint Stock Committee.

Respectfully,

J. F. CONE, Secretary of the Senate.

### THIRD READING OF SENATE BILLS.

S. B. No. 16, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Baxter, Bent, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Crimas, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins,

Johnston of Ravalli, Kehoe, Kelsey, Larse, Lemmon, Lewis, McClory, McQuarrie, Middleton, Morrow, Rasmussen, Scott, Spain, Weil, Working—46.

Noes: Ashby, Brooks, Burnworth, Cotter, Deibel, Gullidge, Holt, Huffaker, Johnson of Deer Lodge, Ironside, Jensen, Jones, Kemmis, Lanstrum, Lusk, McDonald, McMahon, McMillan, Mason, Morris, O'Brien, Prosser, Quaintance, Searles, Shaw, Wheat—27.

Absent and not voting: Ball, Belden, Bernard, Clark, Connolly, Crowley, Cutts, Davis, Farmer, Hurd, Husser, Ingalls, Page, Phelps, Murray, Rainey, Sand, Sektnan, Stimpert, Ward, White; Mr. Speaker present but not voting—22.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 141, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Baxter, Belden, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Griffin, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kemmis, Lanstrum, Larse, Lusk, McClory, McMillan, McQuarrie, Mason, Middleton, Morrow, Page, Quaintance, Scott, Searles, Shaw, Spain, Stimpert, Weil, Wheat, Working—60.

Noes: Morris, Prosser—2.

Absent and not voting: Andrew, Ashby, Ball, Bent, Bernard, Connolly, Crowley, Cutts, Davis, Farmer, Gould, Grimes, Harmon, Hurd, Husser, Ingalls, Johnston of Ravalli, Jones, Kelsey, Lemmon, Lewis, McDonald, McMahon, Murray, O'Brien, Phelps, Rainey, Rasmussen, Sand, Sektnan, Ward, White; Mr. Speaker present but not voting—33.

Title agreed to and Bill returned to Senate.

H. B. No. 452, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Baxter, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Cutts, Deibel, Demel, Eaton, Eliel, Fishbaugh, Fuller, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McClory, McDonald, McMillan, McQuarrie, Middleton, Morris, Morrow, Murray, Page, Prosser, Quaintance, Rainey, Scott, Searles, Spain, Stimpert, Weil—60.

Noes: None.

Absent and not voting: Andrew, Ashby, Ball, Belden, Bent, Bernard, Connolly, Crismas, Crowley, Davis, Dodds, Duffy, Farmer, Gould, Griffin, Grimes, Harmon, Hurd, Husser, Ingalls, Kelsey, Lewis, McMahon, Mason, O'Brien, Phelps, Rasmussen, Sand, Sektnan, Shaw, Ward, Wheat, White, Working; Mr. Speaker present but not voting—35.

Title agreed to and Bill transmitted to Senate for concurrence.

S. B. No. 99, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson\* (Oscar W.), Arneson, Baldwin, Baxter, Belden, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Cutts, Deibel, Demel, Dodds, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Lanstrum, Larse, Lemmon, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Page, Prosser, Quaintance, Scott, Searles, Shaw, Spain, Stimpert—60.

Noes: None.

Absent and not voting: Andrew, Ashby, Ball, Bent, Bernard, Connolly, Crismas, Crowley, Davis, Duffy, Farmer, Gullidge, Harmon, Holt, Hurd, Husser, Ingalls, Johnston of Ravalli, Jones, Kelsey, Kemmis, Lewis, Murray, O'Brien, Phelps, Rainey, Rasmussen, Sand, Sektnan, Ward, Weil, Wheat, White, Working; Mr. Speaker present but not voting—35.

Title agreed to and Bill returned to Senate.

S. B. No. 164, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Baxter, Belden, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crowley, Cutts, Deibel, Demel, Dodds, Eaton, Farmer, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Lanstrum, Larse, Lemmon, Lusk, McClory, McQuarrie, Middleton, Morris, Morrow, Murray, Prosser, Quaintance, Scott, Searles, Spain, Stimpert, Weil, Wheat—61.

Noes: None.

Absent and not voting: Andrew, Ashby, Ball, Bent, Bernard, Connolly, Crismas, Davis, Duffy, Eliel, Harmon, Holt, Husser, Johnston of Ravalli, Jones, Kelsey, Kemmis, Lewis, McDonald, McMahon, McMillan, Mason, O'Brien, Page, Phelps, Rainey, Rasmussen, Sand, Sektnan, Shaw, Ward, White, Working; Mr. Speaker present but not voting—34.

Title agreed to and Bill returned to Senate.

S. B. No. 75, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Baxter, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Cutts, Deibel, Demel, Dodds, Eaton, Fishbaugh, Fuller, Gould, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Scott, Spain, Stimpert, Wheat—59.

Noes: Blodgett, Connolly, Duffy, McMahon, Murray, Prosser, Quaintance, Searles, Shaw—9.

Absent and not voting: Andrew, Ashby, Ball, Belden, Bernard, Crowley, Davis, Eliel, Farmer, Griffin, Grimes, Harmon, Husser, Ironside, Johnson of Deer Lodge, O'Brien, Page, Phelps, Rainey, Rasmussen, Sand, Sektnan, Ward, Weil, White, Working; Mr. Speaker present but not voting—27.

Title agreed to and Bill returned to Senate for concurrence in House amendments.

S. B. No. 153, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Baldwin, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Crowley, Cutts, Deibel, Demel, Duffy, Gould, Grimes, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Kehoe, Kemmis, Lanstrum, Larse, Lewis, McClory, McDonald, McMahon, McQuarrie, Middleton, Morrow, Murray, Page, Prosser, Quaintance, Scott, Shaw, Spain, Wheat—53.

Noes: Andersen (Charles), Blake, Clark, Fuller, Gullidge, Lemmon, Lusk, McMillan, Morris—9.

Absent and not voting: Andrew, Ashby, Ball, Baxter, Belden, Bernard, Davis, Dodds, Eaton, Eliel, Farmer, Fishbaugh, Griffin, Harmon, Husser, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Mason, O'Brien, Phelps, Rainey, Rasmussen, Sand, Searles, Sektnan, Stimpert, Ward, Weil, White, Working; Mr. Speaker present but not voting—33.

Title agreed to and Bill returned to Senate for concurrence in House amendments.

H. B. No. 434, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Baxter, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Burnworth, Carll, Clark, Cotter, Crismas, Crowley, Demel, Dodds, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Kehoe, Lanstrum, Larse, Lemmon, Lewis, Lusk,



McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Page, Prosser, Rasmussen, Scott, Shaw, Spain, Stimpert—56.

Noes: None.

Absent and not voting: Andrew, Ashby, Ball, Belden, Bent, Bernard, Blodgett, Buchanan, Connolly, Cutts, Davis, Deibel, Duffy, Eaton, Eliel, Farmer, Griffin, Harmon, Husser, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Kemmis, McMahon, Murray, O'Brien, Phelps, Quaintance, Rainey, Sand, Searles, Sektman, Ward, Weil, Wheat, White, Working; Mr. Speaker present but not voting—39.

Title agreed to and Bill transmitted to Senate for concurrence.

Senate amendments to H. B. No. 18 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Ball, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Clark, Connolly, Cotter, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Henderson, Henry, Higgins, Holt, Hurd, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kemmis, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Prosser, Rasmussen, Scott, Shaw, Stimpert, Weil—57.

Noes: Ingalls, Jensen, Lanstrum.

Absent and not voting: Andrew, Ashby, Baxter, Bernard, Buell of Gallatin, Carll, Crismas, Davis, Eliel, Farmer, Griffin, Harmon, Hathaway, Hawks, Hufaker, Husser, Ironside, Jones, Kelsey, McMahon, McMillan, McQuarrie, Page, Phelps, Quaintance, Rainey, Sand, Searles, Sektman, Spain, Ward, Wheat, White, Working; Mr. Speaker present but not voting—35.

Bill referred to Engrossing Committee.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bills have been delivered to His Excellency, the Governor: March 1, 1917, at 11 A. M., House Bills Nos. 270, 16, 426, 400, 222, 298, 276, 284, 180, 351, and House Joint Memorial No. 8.

On motion of Mason, House reverted to Fourth Order of Business.

## REPORTS OF STANDING COMMITTEES.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, after having had under consideration Senate Bill No. 105, by Hogan, entitled, "An Act amending Subdivision One of Section Fourteen of Chapter Eighty-nine of the Session Laws of 1913 and providing that assessments to defray cost of construction of sewers may be based upon the assessed valuation of the lots and parcels of land included within the improvement district formed for the construction of such improvements," beg leave to report as follows: That the same be reported back to the House with the recommendation that it be concurred in, as amended: Amend Subdivision C on page 2, line 5 of the Subdivision, by striking out the word "conduits." Amend the Bill by striking out the whole of Section 2 and renumber Section 3 so that it will read Section 2.

Report adopted.

Working, from the Special House Conference Committee, reported as follows:

Mr. Speaker: We, your Special House Conference Committee of three appointed to confer with a like Committee of the Senate relative to Senate amendment to House Bill No. 86, entitled, a Bill for an Act entitled, "An Act to amend Section 3169 of the Revised Codes of 1907 relating to the fees of the clerk of the District Court," report that we have held such conference and recommend that the Senate recede from its amendment to said Bill and that it do pass without amendment.

Report adopted.

Mason, from the Committee on Judiciary, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, after having had under consideration House Bill No. 409, by Belden, entitled, "An Act construing, interpreting and settling ambiguities or doubt arising from the provisions of Section 4044, Revised Codes of Montana, 1907, relating to the amount of the capital

stock of insurance corporations other than life insurance corporations; and Section 4050, Revised Codes of Montana, 1907, as amended by Chapter 48 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, and Chapter 114 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, relating to the classification of insurance corporations, granting certain powers thereunder and providing certain restrictions and exceptions in connection therewith; and Section 4062, Revised Codes of Montana of 1907, as amended by Chapter 37 of the Session Laws of the Thirteenth Legislative Assembly relating to the manner in which insurance companies, associations or partnerships may transact business in the State of Montana, and relating to the capitalization of such insurance companies, both foreign and domestic," beg leave to report as follows:

That the same be amended as follows: Amend line 37 of the printed Bill on page three by inserting a new section to be numbered Section 3 to read as follows: "Section 3. All insurance companies other than fire and life insurance companies operating in the State of Montana, whether foreign or domestic corporations, shall annually on or before the 1st day of March of each year pay a license fee to the Insurance Commissioner of the State of Montana of fifty (\$50.00) dollars per annum, and the Insurance Commissioner shall thereupon issue to such corporation a license authorizing it to transact business within the State of Montana for the ensuing year."

Further by renumbering Sections 3 and 4 as Sections 4 and 5.

Amend title by adding at the end thereof after the word "domestic" a ";," and by inserting at that point as additional words of the title the following: "and providing for the payment of a license fee by insurance corporations other than fire and life insurance companies."

That the same be reported back to the House with the recommendation that it do pass as amended.

Report adopted.

On motion of Belden, House recessed until 1:00 P. M.

#### AFTERNOON SESSION.

House resumed at 1:00 P. M.

Mr. Speaker in the Chair.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bill No. 345, beg leave to report same back as correctly enrolled.

Report adopted.

Mr. Speaker notified the House that he was about to sign H. B. No. 345, and signed same in the presence of the House.

White, from the Sifting Committee, reported as follows:

Mr. Speaker: We, your Committee on Sifting, recommend that the following Bills be placed on General Orders: House Bills Nos. 51, 94 and 442; Senate Bills Nos. 160, 118, 195, 169, 176, 148, 178, 149; Sub. S. B. 98, 130, 71, 189, 140.

Report adopted.

Lewis: I move that the Chief Clerk be instructed to ask the Senate to return S. B. No. 193 to the House.

Motion carried.

On motion of Kehoe, House resolved itself into a Committee of the Whole for the consideration of General Orders.

#### GENERAL ORDERS.

Brooks in the Chair.

House resumed.

Mr. Speaker in the Chair.

Brooks, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 113, by Roberts, entitled, "An Act to permit an application for a State Farm Loan being made and considered and a certificate being furnished pending the final breaking, clearing or improvement of the land upon which the loan is sought," report same back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 160, by Jones, entitled, "An Act to provide for the validation of certain instruments and records which have heretofore been filed, recorded or made in the State of Montana," report same back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 118, by Healy, entitled, "An Act to provide a method of voting at general, special and primary elections, including general and special and primary municipal elections, by electors absent, or expecting to be absent, on the day of any such election from the county in which they are electors, and making regulations regarding such voting," report back with the recommendation that it be concurred in as amended, to-wit:

Amend title by adding thereto the following: "and providing penalties for the violations of the provisions of this Act."

Strike out Section 21 and insert a new section in the Bill to read as follows: "Section 22. This Act shall take effect upon its passage and approval by the Governor."

Insert the following new section, to be known as Section 21: "Section 21. If any elector of this State or any other person or any officer shall, in any matter connected with voting outside of the State under the provisions of this law, in any manner violate any of the provisions of this Act or of any of the election or penal laws of this State applicable to voting under this Act, in such manner that such violation would constitute an offense if committed within the State, then and in such case such elector, person or officer shall be deemed guilty of a like offense and be punishable to the same extent and in the same manner as if the act, omission or violation had been committed within this State, and may be prosecuted in any county in this State; provided, however, that if the defendant or one of several defendants be a resident of the State, he may have the case removed to the county in which the ballot was cast, or was to be cast, if not in fact cast; and provided further that the Court may order any such case removed to such county, subject always to the power of the Court of any county to grant a change of venue as in other cases."

Also, having had under consideration S. B. No. 149, by Morris, entitled, "An Act to amend Section 5 of Chapter 67, Laws of the Thirteenth Legislative Assembly, and to make definite the number and personnel of the local executive board of the Northern Montana Agricultural and Manual Training School, and to define the powers of said local board," report back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 178, by O'Shea, entitled, "An Act relating to the liabilities, restrictions and duties of foreign corporations licensed to do business in the State of Montana," report back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 148, by Edwards, entitled, "An Act to authorize the Attorney General to designate an Assistant Attorney General who shall have authority to do and perform certain matters and things required or which may be done by the Attorney General," report back with the recommendation that Section 1 be amended by adding the following thereto: "Provided, however, that this section shall not be construed as adding any new deputies or assistants to the number now provided for by law for the office of Attorney General"; and that, as amended, it be concurred in.

Also, having had under consideration S. B. No. 130, by Featherly, entitled, "An Act to amend Sections 2139 and 2140 of the Revised Codes of the State of Montana relating to dams and reservoirs," report same back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 71, by Whiteside, entitled, "An Act to regulate the storage of goods in warehouses, and fixing penalties for the violation of this Act," report back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 189, Sub. for S. B. No. 144, by Roberts, entitled, "An Act to provide normal training courses and junior college courses in high schools; providing that such high schools shall be free to all children of the respective counties, fixing requirements upon which teachers' certificates may be issued after July first, 1920, and providing that certain expendi-

tures for such purposes shall first be submitted to a vote of the qualified electors," report back with the recommendation that it be concurred in, as amended, as follows:

Amend Section 6 by striking out in lines 21 and 22 the sentence beginning with the word "students" and ending with the word "schools."

Also, having had under consideration S. B. No. 140, by Heren, entitled, "An Act to amend Section 2585 of the Revised Codes of the State of Montana," report back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 193, by Stevens, entitled, "An Act relating to special improvements in districts in thickly populated localities outside of the limits of incorporated towns and cities, and to empower the Board of County Commissioners to create special improvement districts in such localities for the purpose of constructing sanitary and storm sewers and installing lights, water works plants and such other special improvements as may be petitioned for by sixty per cent of the freeholders affected by the same, and providing for the levy and collection of special assessments to pay for the same and to extend the payment of installments over any period not exceeding eight years, and to provide for the issuance of special improvement warrants or bonds in such special improvement district," report back with the recommendation that Section 19 be amended by striking out in line 300 the word and figures "ten (10)" and inserting in lieu thereof the word and figures "twenty (20)"; and that, as amended, it be concurred in.

Also, having had under consideration S. B. No. 17, by O'Shea, entitled, "An Act to combine the offices of State Inspector of Boilers, Inspector of Steamboats, State Inspector of Mines and State Coal Mine Inspector, and placing all of said officers under the supervision of the Industrial Accident Board; fixing the salaries thereof and defining their duties and powers; and amending Section 55A and Section 55B, Chapter 96, Laws of the Fourteenth Legislative Assembly, being an Act known as the Workmen's Compensation Act, and repealing Chapter 63 of the Session Laws of the Thirteenth Legislative Assembly of the State of Montana," report back with the recommendation that it be concurred in as amended, as follows:

Amend title by striking out all of the title after the word "repealing" in line 8 of the title and inserting in lieu thereof the words "all Acts in conflict herewith."

Amend Section 2 by striking out all of said Section and inserting in lieu thereof the following: "Section 2. The Industrial Accident Board shall appoint not to exceed four Inspectors of Boilers, one Coal Mine Inspector, two Inspectors of Quartz Mines, and one Inspector of Steamboats, all of whose terms of office shall be at the pleasure of the Industrial Accident Board."

Amend Section 33 by striking out all of said Section and inserting in lieu thereof the following: "Section 3. That said officers shall receive such annual salaries to be fixed by the Industrial Accident Board, and approved by the Governor; all of said officers to be paid monthly."

Amend Section 4 by inserting in line 27, after the word "Boilers," the words "Inspector of Steamboats."

Amend by striking out Section 7 and renumbering Section 8 as Section 7.

Also, having had under consideration Sub. for S. B. No. 98, by Meadors, entitled, "An Act permitting assessments by water users' associations which have contracts with the United States Government under the Reclamation Act in lieu of previous assessments," report back with the recommendation that it be concurred in.

Also, having had under consideration H. B. No. 409, by Belden, entitled, "An Act construing, interpreting and settling ambiguities or doubt arising from the provisions of Section 4044, Revised Codes of Montana, 1907, relating to the amount of the capital stock of insurance corporations other than life insurance corporations; and Section 4050, Revised Codes of Montana, 1907, as amended by Chapter 48 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, and Chapter 114 of the Session Laws of the Twelfth Legislative Assembly of the State of Montana, relating to the classification of insurance corporations, granting certain powers thereunder and providing certain restrictions



and exceptions in connection therewith; and Section 4062, Revised Codes of Montana of 1907, as amended by Chapter 37 of the Session Laws of the Thirteenth Legislative Assembly, relating to the manner in which insurance companies, associations or partnerships may transact business in the State of Montana, and relating to the capitalization of such insurance companies, both foreign and domestic," report back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 94, by Bernard, entitled, "An Act to amend Section 546 of the Revised Codes of 1907, relating to ballots and voting, and providing for the furnishing of official ballots and sample ballots by the county clerk at general elections held in the State," report back with the recommendation that it be indefinitely postponed.

Also, having had under consideration S. B. No. 195, by Williams, entitled, "An Act to amend Section 3894 of the Revised Codes of Montana of 1907, relating to the decrease or increase of the capital stock of corporations, the creation or increase of the bonded indebtedness of corporations, or the extensions or changes in the business of corporations, and the manner whereby such changes may be accomplished," report same back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 169, by Banks and Banking Committee, entitled, "An Act to amend Sections Nine (9), Eleven (11), and Fifty-one (51), of Chapter Eighty-nine (89), Acts of the Fourteenth Legislative Assembly of the State of Montana, being an Act entitled, 'An Act regulating the business of banking, providing for the creation and regulation of banking corporations, creating the department of banking and prescribing the duties and fixing the salaries of its officers and employees,' and repealing Title Two (2), Part Four (4), of Division One (1) of the Civil Codes of Montana, entitled, 'Banks and Banking,' being the provisions of Sections 2909 to 4015, both numbers inclusive, Revised Codes of Montana, 1907, and all Acts amendatory thereof, and to add six new sections thereto to be numbered 16A, 16B, 16C, 16D, 16E and 16F, all relating to the business of banking and the department of banking," report same back with the recommendation that it be concurred in.

Also, having had under consideration S. B. No. 176, by Annin, entitled, "An Act relating to the payment of salaries of Justices of the Supreme Court and Judges of the District Court," report same back with the recommendation that it be concurred in.

Report adopted.

Lusk: I move that House Bills Nos. 409 and 94 be considered correctly engrossed and placed on Third Reading.

Motion carried.

Rasmussen: I move that the Speaker appoint a Committee of three to act with a like Committee from the Senate on House amendments to S. B. No. 28.

Motion carried.

Mr. Speaker appointed the following Committee: Kehoe, Larse, McQuarrie. Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bill has been delivered to His Excellency, the Governor: March 1, 1917, at 1:05, House Bill No. 345.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 18 and 349, beg to report same back as correctly engrossed.

Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 18 and 349, and signed same in the presence of the House.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communication was received from the Senate:

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day reconsidered the vote by which H. B. No. 155 was acted

upon unfavorably, and on motion the Bill was asked to be returned to the Senate for further consideration.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Lusk, House reverted to Eighth Order of Business.

### THIRD READING OF SENATE BILLS.

S. B. No. 116, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Belden, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Connolly, Crismas, Crowley, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Henderson, Henry, Higgins, Hurd, Ingalls, Johnson of Deer Lodge, Kehoe, Kemmis, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morrow, O'Brien, Page, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Spain, Weil, White, Working—62.

Noes: Kelsey—1.

Absent and not voting: Baxter, Bent, Bernard, Blodgett, Brooks, Burnworth, Clark, Cotter, Cutts, Davis, Eliel, Farmer, Harmon, Hawks, Holt, Huffaker, Husser, Ironside, Jensen, Johnston of Ravalli, Jones, Lanstrum, McMahon, Murray, Phelps, Quaintance, Sektnan, Shaw, Stimpert, Ward, Wheat; Mr. Speaker present but not voting—32.

Title agreed to and Bill returned to Senate.

S. B. No. 160, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Carll, Clark, Connolly, Crowley, Cutts, Deibel, Demel, Dodds, Duffy, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Rainey, Rasmussen, Sand, Scott, Searles, Spain, Weil, Wheat, White, Working—67.

Noes: None.

Absent and not voting: Bent, Bernard, Burnworth, Cotter, Crismas, Davis, Eaton, Eliel, Farmer, Griffin, Harmon, Hathaway, Hawks, Husser, Ironside, Jensen, Johnston of Ravalli, Jones, Lusk, McMahon, Phelps, Prosser, Quaintance, Sektnan, Shaw, Stimpert, Ward; Mr. Speaker present but not voting—28.

Title agreed to and Bill returned to Senate.

S. B. No. 118, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Blake, Booth, Buell of Missoula, Buchanan, Burnworth, Connolly, Deibel, Demel, Dodds, Eaton, Fishbaugh, Fuller, Grimes, Gullidge, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Page, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Weil, Wheat, Working—64.

Noes: None.

Absent and not voting: Bent, Bernard, Blodgett, Brooks, Buell of Gallatin, Carll, Clark, Cotter, Crismas, Crowley, Cutts, Davis, Duffy, Eliel, Farmer, Gould, Griffin, Harbert, Harmon, Hathaway, Husser, Ironside, Johnston of Ravalli, McClory, Murray, O'Brien, Phelps, Quaintance, Ward, White; Mr. Speaker present but not voting—31.

Title agreed to, as amended, and Bill transmitted to Senate for concurrence in House amendments.

## CONSIDERATION OF MESSAGES FROM THE GOVERNOR.

The following communication was received from His Excellency, the Governor:

Executive Office, Helena, Montana, March 1, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I am returning herewith House Bill No. 329, entitled, "An Act creating and providing for County Athletic Commissions in counties of the first class and regulating boxing and sparring contests in counties of the first class in the State of Montana," without my approval and with my objections thereto.

The Bill is hereby vetoed and my approval thereof refused by reason of the fact that twice the people have spoken against the proposition of legalized boxing and sparring contests in the State of Montana. While it is true that this Bill is designed to be special in its operation, nevertheless it was passed as a general measure and must of necessity be considered by all as a general law, applicable to all counties of the first class.

I am returning the Bill to you before your adjournment so that the members may have an opportunity to give further consideration to the subject.

Respectfully submitted,

S. V. STEWART, Governor.

On motion of Higgins, seconded by fifteen members, a call of the House was ordered and the following members were found to be absent: Baldwin, Bernard, Blodgett, Brooks, Clark, Cotter, Crowley, Cutts, Davis, Duffy, Eaton, Eliel, Farmer, Gould, Harmon, Henry, Husser, Ingalls, McClory, Murray, O'Brien, Phelps, Prosser. The following members appeared on the floor of the House: Baldwin, Brooks, Crowley, Cutts, Duffy, Henry, Husser, Ingalls, O'Brien, Prosser, and on motion of Higgins, further call of the House was suspended.

The roll was called, as to whether H. B. No. 329 should pass over the Governor's veto, and resulted in the following vote:

Ayes: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Baxter, Belden, Blodgett, Booth, Brooks, Carl, Connolly, Crowley, Cutts, Duffy, Fishbaugh, Fuller, Grimes, Gullidge, Henderson, Henry, Huffaker, Hurd, Husser, Ironside, Jensen, Johnson of Deer Lodge, Jones, Lanstrum, Lusk, McClory, McDonald, McMahon, McMillan, Middleton, Morris, O'Brien, Page, Prosser, Quintance, Searles, Shaw, Ward, White, Working—45.

Noes: Andersen (Charles), Arneson, Bent, Blake, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Cotter, Crismas, Deibel, Demel, Dodds, Eaton, Gould, Griffin, Harbert, Harmon, Hathaway, Hawks, Higgins, Holt, Ingalls, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, McQuarrie, Mason, Morrow, Rainey, Rasmussen, Sand, Scott, Sektnan, Spain, Stimper, Weil, Wheat—43.

Absent and not voting: Bernard, Davis, Eliel, Farmer, Murray, Phelps; Mr. Speaker present but not voting—7.

Governor's veto sustained.

S. B. No. 195, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Ashby, Baxter, Belden, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carl, Cotter, Cutts, Deibel, Demel, Dodds, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Johnson of Deer Lodge, Jones, Kehoe, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, Middleton, Morris, Morrow, O'Brien, Page, Prosser, Quintance, Searles, Shaw, Spain, Stimper, Ward, Weil, Wheat, White, Working—61.

Noes: Andrew, Ball, Connolly, Duffy, Higgins, Jensen, Kelsey, Kemmis, Lusk, McQuarrie, Rainey, Sand, Sektnan—13.

Absent and not voting: Baldwin, Bent, Bernard, Blodgett, Clark, Crismas, Crowley, Davis, Eaton, Eliel, Farmer, Gould, Husser, Johnston of Ravalli, McClory, Mason, Murray, Phelps, Rasmussen, Scott; Mr. Speaker present but not voting—21.

Title agreed to and Bill returned to Senate.

S. B. No. 169, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Cotter, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Larse, Lewis, Lusk, McClory, McMahon, McMillan, Middleton, Morris, Morrow, Page, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Spain, Stimpert, Ward, Weil, Wheat, White, Working—68.

Noes: None.

Absent and not voting: Baldwin, Belden, Bent, Bernard, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Eliel, Farmer, Gould, Husser, Johnston of Ravalli, Kemmis, Lanstrum, Lemmon, McDonald, McQuarrie, Mason, Murray, O'Brien, Phelps, Prosser, Shaw; Mr. Speaker present but not voting—27.

Title agreed to and Bill transmitted to Senate for concurrence in House amendments.

S. B. No. 176, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Ball, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Cotter, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Henderson, Henry, Higgins, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, Middleton, Morris, Morrow, O'Brien, Page, Rasmussen, Sand, Scott, Searles, Spain, Stimpert, Ward, Weil, White, Working—62.

Noes: Ashby, Hurd, Rainey, Shaw, Wheat—5.

Absent and not voting: Arneson, Baldwin, Baxter, Belden, Bernard, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Eliel, Farmer, Hawks, Holt, Husser, Johnston of Ravalli, Kehoe, Lanstrum, Larse, McClory, Mason, Murray, Phelps, Prosser, Quaintance, Sektan; Mr. Speaker present but not voting—28.

Title agreed to and Bill returned to Senate.

Working: I move that we return to the Senate H. B. No. 155.

Motion carried.

S. B. No. 149, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Ashby, Ball, Baxter, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Cotter, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, Middleton, Morris, Morrow, O'Brien, Page, Rainey, Rasmussen, Scott, Searles, Shaw, Spain, Stimpert, Weil, Wheat, White, Working—64.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Baldwin, Belden, Bent, Bernard, Carll, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Eliel, Farmer, Gould, Holt, Husser, Johnston of Ravalli, Kehoe, Lanstrum, McClory, McQuarrie, Mason, Murray, Phelps, Prosser, Quaintance, Sand, Sektan, Ward; Mr. Speaker present but not voting—31.

Title agreed to and Bill returned to Senate.

S. B. No. 148, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Deibel, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Griffin, Grimes, Harbert, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Jensen, Johnson of Deer Lodge, Jones, Kelsey, Kemmis, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, Mason, Middle-



ton, Morris, Morrow, O'Brien, Page, Rainey, Rasmussen, Sand, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working—64.

Noes: Cutts, Gullidge, Scott—3.

Absent and not voting: Belden, Bent, Bernard, Blodgett, Crismas, Crowley, Davis, Eliel, Farmer, Gould, Harmon, Hathaway, Hawks, Husser, Ironside, Johnston of Ravalli, Kehoe, Lanstrum, Larse, McClory, McQuarrie, Murray, Phelps, Prosser, Quaintance, Searles, White; Mr. Speaker present but not voting—28.

Title agreed to and Bill returned to Senate.

S. B. No. 178, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Ball, Baxter, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Cotter, Cutts, Deibel, Demel, Duffy, Eaton, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hathaway, Henderson, Henry, Higgins, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, McDonald, McMahon, McMillan, Middleton, Morris, Morrow, O'Brien, Rainey, Rasmussen, Scott, Searles, Shaw, Spain, Stimpert, Ward, Weil, Wheat—61.

Noes: None.

Absent and not voting: Baldwin, Belden, Bent, Bernard, Clark, Connolly, Crismas, Crowley, Davis, Dodds, Eliel, Farmer, Gould, Harmon, Hawks, Holt, Husser, Johnston of Ravalli, Kehoe, Larse, Lusk, McClory, McQuarrie, Mason, Murray, Page, Phelps, Prosser, Quaintance, Sand, Sektnan, White, Working; Mr. Speaker present but not voting—34.

Title agreed to and Bill returned to Senate.

S. B. No. 189, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Clark, Cotter, Crismas, Cutts, Deibel, Demel, Dodds, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hathaway, Henderson, Henry, Higgins, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, O'Brien, Rainey, Rasmussen, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working—66.

Noes: None.

Absent and not voting: Belden, Bent, Bernard, Blodgett, Connolly, Crowley, Davis, Duffy, Eaton, Eliel, Farmer, Gould, Harmon, Hawks, Holt, Husser, Johnston of Ravalli, Kehoe, Larse, Lusk, McClory, Murray, Page, Phelps, Prosser, Quaintance, Sand, White; Mr. Speaker present but not voting—29.

Title agreed to and Bill returned to Senate.

S. B. No. 130, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crowley, Cutts, Deibel, Demel, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Rainey, Rasmussen, Scott, Searles, Sektnan, Shaw, Spain, Ward, Weil, Wheat, Working—68.

Noes: None.

Absent and not voting: Belden, Bernard, Blodgett, Clark, Crismas, Davis, Dodds, Duffy, Eaton, Eliel, Farmer, Gould, Harmon, Hathaway, Holt, Husser, Lusk, McClory, Murray, Page, Phelps, Prosser, Quaintance, Sand, Stimpert, White; Mr. Speaker present but not voting—27.

Title agreed to and Bill returned to Senate.

S. B. No. 71, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby,

Ball, Baxter, Belden, Blake, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Clark, Connolly, Cotter, Deibel, Dodds, Duffy, Fishbaugh, Griffin, Grimes, Gullidge, Harbert, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, O'Brien, Scott, Searles, Shaw, Stimpert, Ward, Weil, Working—59.

Noes: Prosser, Rainey—2.

Absent and not voting: Baldwin, Bent, Bernard, Blodgett, Buell of Gallatin, Crismas, Crowley, Cutts, Davis, Demel, Eaton, Eliel, Farmer, Fuller, Gould, Harmon, Hathaway, Holt, Husser, Johnston of Ravalli, Lusk, Morris, McClory, Murray, Page, Phelps, Quaintance, Rasmussen, Sand, Sektan, Spain, Wheat, White; Mr. Speaker present but not voting—34.

Title agreed to and Bill returned to Senate.

S. B. No. 140, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Arneson, Baxter, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Demel, Duffy, Eaton, Fishbaugh, Gould, Griffin, Grimes, Harbert, Hawks, Higgins, Huffaker, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, O'Brien, Prosser, Rasmussen, Stimpert, Ward, Working—48.

Noes: Rainey, Scott—2.

Absent and not voting: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Ball, Davis, Belden, Bernard, Blodgett, Clark, Cotter, Crismas, Crowley, Cutts, Fuller, Deibel, Dodds, Eliel, Farmer, Gullidge, Harmon, Hathaway, Henderson, Henry, Holt, Hurd, Husser, Johnston of Ravalli, Kemmis, Lusk, McClory, Morris, Murray, Page, Phelps, Quaintance, Sand, Searles, Sektan, Shaw, Spain, Weil, Wheat, White; Mr. Speaker present but not voting—45.

Title agreed to and Bill returned to Senate.

S. B. No. 193, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Anderson (Charles), Baldwin, Ball, Blake, Booth, Brooks, Buell of Gallatin, Buchanan, Carll, Connolly, Cotter, Demel, Eaton, Fishbaugh, Gould, Griffin, Grimes, Harbert, Hawks, Henry, Huffaker, Hurd, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Larse, Lewis, McMillan, Mason, Morris, Morrow, Prosser, Rasmussen, Scott, Shaw, Spain, Stimpert, Ward, White, Working—42.

Noes: Arneson, Buell of Missoula, Burnworth, Deibel, Gullidge, Henderson, Higgins, Kelsey, Kemmis, Lanstrum, Lemmon, McMahon, McQuarrie, Rainey, Sand, Searles, Sektan—17.

Absent and not voting: Anderson (Oscar W.), Andrew, Ashby, Baxter, Belden, Bent, Bernard, Blodgett, Clark, Crismas, Crowley, Cutts, Davis, Dodds, Duffy, Eliel, Farmer, Fuller, Harmon, Hathaway, Holt, Husser, Ingalls, Johnston of Ravalli, Lusk, McClory, McDonald, Middleton, Murray, O'Brien, Page, Phelps, Quaintance, Weil, Wheat; Mr. Speaker present but not voting—36.

Title agreed to and Bill returned to Senate.

S. B. No. 98, having been read three several times, was concurred in by the following vote:

Ayes: Andersen (Charles), Arneson, Baldwin, Ball, Baxter, Belden, Bent, Blake, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Connolly, Cotter, Crismas, Deibel, Demel, Duffy, Eaton, Fishbaugh, Gould, Griffin, Grimes, Harbert, Hawks, Henderson, Higgins, Huffaker, Hurd, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, Prosser, Rainey, Rasmussen, Scott, Sektan, Stimpert, Ward, Wheat, White, Working—60.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Andrew, Ashby, Bernard, Blodgett, Brooks, Clark, Crowley, Cutts, Davis, Dodds, Eliel, Farmer, Fuller, Gullidge, Harmon, Hathaway, Henry, Holt, Husser, Ingalls, Johnston of Ravalli,

Lusk, McClory, Morris, O'Brien, Page, Phelps, Quaintance, Sand, Searles, Shaw, Spain, Weil; Mr. Speaker present but not voting—35.

Title agreed to and Bill returned to Senate.

S. B. No. 17, having been read three several times, was concurred in as amended, by the following vote:

Ayes: Andersen (Charles), Arneson, Baldwin, Ball, Baxter, Belden, Bent, Blake, Brooks, Buell of Missoula, Buchanan, Burnworth, Carll, Cotter, Crismas, Demel, Dodds, Eaton, Fishbaugh, Gould, Griffin, Grimes, Gullidge, Harbert, Henderson, Higgins, Hurd, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, McMahon, McMillan, Middleton, Morris, Murray, Quaintance, Rainey, Sand, Scott, Stimpert, Ward, White, Working—50.

Noes: Booth, Deibel, Duffy, Hawks, Prosser, Searles, Wheat—7.

Absent and not voting: Anderson (Oscar W.), Andrew, Ashby, Bernard, Blodgett, Buell of Gallatin, Clark, Connolly, Crowley, Cutts, Eliel, Farmer, Fuller, Davis, Harmon, Hathaway, Henry, Holt, Huffaker, Husser, Ingalls, Johnston of Ravalli, Larse, Lusk, McClory, McDonald, McQuarrie, Mason, Morrow, O'Brien, Page, Phelps, Rasmussen, Sektnan, Shaw, Spain, Weil—38.

Title agreed to and Bill returned to Senate.

H. B. No. 409, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Ball, Baxter, Belden, Bent, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Cotter, Demel, Duffy, Eaton, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hawks, Henderson, Henry, Higgins, Huffaker, Hurd, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Lanstrum, Lemmon, Lewis, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Page, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Wheat, White, Working—61.

Noes: None.

Absent and not voting: Andrew, Ashby, Bernard, Blodgett, Clark, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Dodds, Eliel, Farmer, Harmon, Hathaway, Holt, Husser, Ingalls, Johnston of Ravalli, Kemmis, Larse, Lusk, McClory, McMillan, Morrow, Murray, O'Brien, Phelps, Prosser, Quaintance, Ward, Weil; Mr. Speaker present but not voting—34.

Title agreed to and Bill transmitted to Senate for concurrence.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 164 and 135, beg leave to report same back as correctly enrolled. Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 135 and 164, and signed same in the presence of the House.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bills have been delivered to His Excellency, the Governor: March 1, 1917, at 3:30 P. M., House Bills Nos. 18 and 349.

Higgins: I move that H. B. No. 144 be placed on Third Reading for concurrence in Senate amendments.

Motion carried.

Senate amendments to H. B. No. 144 were concurred in by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blake, Booth, Brooks, Buell of Missoula, Buchanan, Connolly, Cotter, Crismas, Crowley, Cutts, Dodds, Duffy, Eaton, Gould, Griffin, Grimes, Gullidge, Harbert, Hawks, Henderson, Higgins, Huffaker, Hurd, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kelsey, Kemmis, Lanstrum, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Spain, Stimpert, Wheat, White, Working—63.

Noes: Burnworth, Carll, Demel, Fishbaugh, Hathaway, Kehoe, Rainey, Shaw—8.

Absent and not voting: Anderson (Oscar W.), Andrew, Bernard, Blodgett, Buell of Gallatin, Davis, Deibel, Eliel, Farmer, Fuller, Harmon, Henry, Holt, Husser, Ingalls, Johnston of Ravalli, Larse, McClory, Morrow, Murray, Phelps, Ward, Weil: Mr. Speaker present but not voting—24.

Bill referred to Engrossing Committee.

On motion of Rainey, House reverted to Third Order of Business.

### REPORTS OF SELECT COMMITTEES.

Rainey, from the Special Committee on the purchase of typewriters, reported as follows:

Mr. Speaker: Your Special Committee, appointed under a resolution to purchase necessary new typewriters and to dispose of any old machines on hand, beg leave to report as follows: The following new Remington machines have been purchased:

Remington No. 10, R. C. 67543.

R. A. 65423-10.

R. A. 4996 No. 10.

The following new Underwood machines have been purchased:

936110 No. 5.

932954 No. 5.

936120 No. 5.

934168 No. 5.

934158 No. 5.

934157 No. 5.

934182 No. 5.

We have disposed of the following old style Remington machines at ten dollars (\$10.00) each:

No. 66782—No. 7, sold to S. C. Gilpatrick.

No. 130587—No. 6, sold to E. D. Cole.

No. 70573—No. 6, sold to M. Sektan.

No. 28037—wide carriage, sold to Anna F. Carter.

No. 15018—No. 8, sold to Randolph Diebel.

No. 155797—No. 7, sold to Shirley Ashby.

No. 131603—No. 6, sold to W. A. Bent.

No. 131509—No. 6, sold to E. D. Cole.

No. 71335—No. 6, sold to Ella M. Kelly.

We would recommend that the Sergeant-at-Arms turn over to the Custodian of Public Property, to be held for the use of the House of Representatives only, all the machines now belonging to the House and take his specific receipt therefor.

Report adopted.

Kehoe, from the Conference Committee on Senate Bill No. 28, reported as follows:

Mr. Speaker: We, your Conference Committee, appointed to confer with a like Committee from the Senate, beg leave to report as follows: That Senate Bill No. 28 be amended as amended in Section 7, line 100, by inserting the words "and appoint a" between the words "district" and "Board."

Report adopted.

On motion of Buchanan, Representative Buchanan was granted the privileges of the floor, to present to the Revered C. H. Frady, Chaplain, a token of esteem of the members of the House. The token was accepted by Reverend Frady who, in a few appropriate remarks, thanked the members of the House.

Lusk: I move that the House reconsider the vote by which the report of the Committee of the Whole was adopted on H. B. No. 94, and that the Bill be segregated from the report and placed on General Orders.

Motion carried.

Lusk: I move that the House do now resolve itself into a Committee of the Whole for the consideration of General Orders and that debate be limited to ten minutes upon any one Bill.

Motion carried.



## GENERAL ORDERS.

Stimpert in the Chair.

House resumed.

Mr. Speaker in the Chair.

Stimpert, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration H. B. No. 94, by Bernard, entitled, "An Act to amend Section 546 of the Revised Codes of 1907, relating to ballots and voting and providing for the furnishing of official ballots and sample ballots by the county clerk at general elections held in the State," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 442, by McQuarrie, entitled, "An Act authorizing, empowering and directing the State Board of Land Commissioners to grant, sell and convey State lands to counties, school districts and municipal corporations for public purposes," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 403, by Andrew, entitled, "An Act to amend Section 3241 of the Revised Codes of Montana of 1907, relating to salaries of police judges," report same back with the recommendation that Section 3241 be amended by striking out in line 5 all words after the figures "(\$3,000)" and inserting in lieu thereof the words "in a city of the second class must not exceed one thousand dollars (\$1,000.00) and in a city of the third class must not exceed four hundred dollars (\$400.00)," and as amended, that the same do pass.

Also, having had under consideration H. B. No. 393, by Shaw, entitled, "An Act to amend Section 2957 of the Revised Codes of the State of Montana of 1907, as amended by Chapter 112 of the Session Laws of the Thirteenth Legislative Assembly, relating to the enumeration of county officers, and Section 3100 of the Revised Codes of the State of Montana, 1907, relating to the creation of the office of County Auditor within certain counties in the State of Montana," report same back with the recommendation that same be amended by striking out in line 21 of Section 2 the words "and less than fifteen millions," and that, as amended, it do pass.

Also, having had under consideration H. B. No. 51, by Jensen, entitled, "An Act to provide means whereby the State of Montana, through the Montana State Highway Commission, may obtain the benefits of the Act of Congress approved July 11, 1916 (39 Stat. L. 355)," report same back with the recommendation that it be indefinitely postponed.

Also, having had under consideration H. B. No. 310, by Middleton, entitled, "An Act to create the County of Treasure, designate its boundaries and provide for its organization and government, and to change the boundaries of Rosebud and Big Horn Counties to conform thereto," report same back with the recommendation that it be amended as follows:

Amend Section 1 in line 26 by striking out after the words "Rosebud County" all that follows, including lines 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44, and insert in lieu thereof the following: "to a point where said line intersects range line between 31 and 32 east, thence north along said range line to where section line running between 18-19, Tp. N. of Range 32 East intersects said line, thence east along said section line between Sections 18-19, 17-20, 16-21, 15-22, 14-23, 13-24 through townships 32, 33 34 and 35 to a point in Township 36 East"; and that, as amended, it do pass.

Also, having had under consideration H. B. No. 424, by Rainey, entitled, "An Act fixing the compensation of juvenile court officers for the investigation of widows and others making application for financial aid," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 322, by Hawks, entitled, "An Act to amend Sections 1, 2 and 3 of Chapter 139 of the Session Laws of the Fourteenth Legislative Assembly of the State of Montana, providing for the creation, organization and classification of new counties, for locating county seats, and for the election and appointment of officers," report same back with the recommendation that Section 1 be amended by striking out in line 11 the word "eighteen" and inserting in lieu thereof the words "twenty-five"; and that, as amended, it do pass.

Also, having had under consideration H. B. No. 281, by McMillan, entitled,

"An Act to create the County of River, designate its boundaries and provide for its organization and government, and to change the boundaries of Sheridan County to conform thereto," report same back with the recommendation that it do pass.

Also, having had under consideration H. B. No. 451, by Committee on Appropriations, entitled, "An Act appropriating money for the purpose of defraying the expenses of the State Highway Commission in co-operating with the Federal Government under the Act of Congress of July 11, 1916, and authorizing the State Highway Commission to make such expenditures, and further authorizing the State Highway Commission to enter into contracts and agreements with the United States Government relating to the construction and maintenance of roads under this Act," report same back with the recommendation that Section 1 be amended by striking out all of line 1 and inserting in lieu thereof the words "The State of Montana hereby assents to the provisions," and report that the enacting clause be stricken out.

Also, having had under consideration H. B. No. 381, by Joint Highways Committee, entitled, "An Act to provide for the registration and identification of motor vehicles and operators thereof, and providing for the regulation of all vehicles operating upon the public highways of the State and providing penalties for the violation of the provisions of this Act, and providing for the disposition of all funds collected thereunder, and repealing the provisions of Chapters 71 and 73 of the Laws of the Thirteenth Legislative Assembly, and Chapter 65 of the Laws of the Fourteenth Legislative Assembly," report same back with the recommendation that the Senate amendments be concurred in.

Stimpert: I move the adoption of the report.

McMahon: As a Substitute, I move that H. B. No. 451 be segregated from the report of the Committee of the Whole.

On motion of Lusk, seconded by fifteen members, a call of the House was ordered and the following members were found to be absent: Andrew, Ashby, Bent, Bernard, Blake, Blodgett, Buell of Gallatin, Clark, Crismas, Davis, Deibel, Demel, Dodds, Farmer, Harmon, Holt, Husser, Jensen, Lanstrum, Lemmon, McClory, Morris, Phelps, Quaintance, Searles, Stimpert. The following members appeared on the floor of the House: Andrew, Blake, Blodgett, Buell of Gallatin, Deibel, Demel, Harmon, Holt, Jensen, Stimpert, and on motion of Lusk, call of the House was suspended.

Lusk: I move that the motion of McMahon be indefinitely postponed.

Roll call being demanded, resulted in the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Arneson, Baldwin, Baxter, Belden, Blake, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Dodds, Eaton, Fuller, Griffin, Gullidge, Harbert, Harmon, Henderson, Henry, Higgins, Holt, Huffaker, Ingalls, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Kemmis, Lewis, Lusk, McClory, McDonald, McMillan, McQuarrie, Mason, Middleton, Page, Rasmussen, Sand, Scott, Sektnan, Shaw, Working—47.

Noes: Andrew, Ashby, Ball, Bent, Blodgett, Carl, Connolly, Cotter, Crowley, Cutts, Deibel, Demel, Duffy, Eliel, Fishbaugh, Gould, Grimes, Hathaway, Hurd, Ironside, Kehoe, Larse, Lemmon, McMahon, Morris, Morrow, Murray, O'Brien, Prosser, Rainey, Searles, Spain, Stimpert, Ward, Weil, Wheat, White—37.

Absent and not voting: Bernard, Clark, Crismas, Davis, Farmer, Hawks, Husser, Lanstrum, Phelps, Quaintance; Mr. Speaker present but not voting—11.

Motion to indefinitely postpone carried.

Lusk: I move a reconsideration of the Committee of the Whole report.

Higgins: I move that motion of Lusk be indefinitely postponed.

Motion to indefinitely postpone carried.

Mr. Speaker notified the House that he was about to sign Senate Bills Nos. 171, 159, 53 and 91, and S. J. M. No. 4, and signed same in the presence of the House.

#### REPORTS OF STANDING COMMITTEES.

Crowley, from the Committee on Enrolling, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the fol-

lowing Bills have been delivered to His Excellency, the Governor: March 1, 1917, at 4:10 P. M., House Bills Nos. 135 and 164.

White, from the Committee on Appropriations, reported as follows:

Mr. Speaker: Your Committee on Appropriations, to whom was referred Senate Bill No. 143, introduced by Roberts, being a Bill for an Act entitled, "An Act to appropriate money to establish and maintain normal training courses and junior college courses in high schools, and to authorize the issuance of teachers' certificates to graduates of such courses in high schools," beg leave to report the same back with the recommendation that it be concurred in.

Report adopted.

White, from the Sifting Committee, reported as follows:

Mr. Speaker: We, your Sifting Committee, recommend that S. B. No. 143 be placed on General Orders.

Report adopted.

Mason, from the Judiciary Committee, reported as follows:

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 127, beg leave to report as follows: That the title of said Senate Bill No. 127 be amended to read as follows: "An Act providing for a Code Commissioner, the appointment of same, the date of said appointment and his term and oath of office; the division of the Codes and indexing of same, the matter to be included therein, the identification of the statutes, the powers and compensation of said Commissioner, the annotation and form of publication of said Codes, the contract for the printing of same, the bond of the contractor, the disposition of said Revised Codes and providing an appropriation for same."

That Section 1 of said Senate Bill No. 127 be amended to read as follows:

"Section 1. The Appointment of Code Commissioner. The Governor of the State is hereby authorized to appoint a competent and qualified person with full power and authority to compile and revise the Political Code, Civil Code, Code of Civil Procedure and the Penal Code of the State of Montana and the Session Laws of the Eleventh, Twelfth, Thirteenth and Fourteenth regular sessions of the Legislative Assemblies of the State of Montana, and those laws to be enacted by the Fifteenth regular session of the Legislative Assembly of the State of Montana, and all other Acts and parts of Acts which are not repealed by any of the four Codes or by any of the Session Laws or which have not been adjudged unconstitutional by the Supreme Court of the State of Montana; and it shall be the duty of said commissioner to compile, revise and arrange under proper headings subjects and chapters in the Civil Code, the Penal Code and the Code of Civil Procedure and the Political Code all laws of a permanent and general nature which shall be in force and effect after the adjournment of the Fifteenth Legislative Assembly, with full authority to rearrange the chapters in the respective Codes, to renumber and transpose such sections and to provide other and different headings and sections to the chapters therein."

That Section 2 of the said Senate Bill No. 127 be stricken from the Bill and in lieu thereof insert the following:

"Section 2. Date of Appointment and Term of Office. The said commissioner shall be appointed on or before the first day of April, 1917, and shall enter upon the discharge of his duties on or before the first day of May, 1917, and shall hold office for a period of two years following his appointment."

Amend Section 3 of Senate Bill No. 127 by striking out the word "commission" in line 23 and inserting in lieu thereof the word "commissioner"; by striking out the word "their" in line 23 and inserting in lieu thereof the word "his"; in Section 3 by striking out in line 24 the words "five hundred" and inserting in lieu thereof the words "one thousand." Amend Section 3 by striking out in line 24 the word "their" and inserting in lieu thereof the word "his"; by striking out in line 25 the words "State Printing Board" and inserting in lieu thereof the words "State Board of Examiners"; by striking out after the word "board" in line 25 all of the language in Section 3 following the said word "board" on line 25, down to and including line 31 and inserting in lieu thereof the following: "The State Board of Examiners of the State of Montana shall upon the completion of the work of said commissioner contract for the publication and annotations of said Codes as specified in this Act, contracting with the publishing house who will annotate the

laws as provided for in this Act, and publish same upon the terms most expeditious and most advantageous to the State, which said contract must be advertised and let by contract to the lowest bidder for the publication and annotation of one thousand (1,000) sets. The contract shall specify that one thousand (1,000) sets shall be printed, published and delivered to the Secretary of State on or before the first day of April, 1918. That the publisher shall keep on hand and for sale at a price to be fixed by said State Board of Examiners a sufficient number of copies of said Codes to supply all demands for a period of not less than eight years, but the publisher shall also make and keep on hand a full and complete set of stereotyped matrices of each and every page of type used in printing the Codes."

Amend Section 4 of Senate Bill No. 127 by striking out the word "commission" in line 32 and inserting in lieu thereof the word "commissioner"; by striking out in line 34 the word "their" and inserting in lieu thereof the word "his"; by striking out after the word "work" in line 34 the remainder of said Section 4 down to and including line 38.

Amend Section 5 of said Senate Bill No. 127 by striking out all of lines 39 to 44, inclusive, and inserting in lieu thereof the following:

"Section 5. Compensation of Commissioner. Said commissioner shall receive the sum of four thousand (\$4,000.00) dollars in full compensation for his services for compiling or supervising same and revising the indexing of said Codes and laws and for preparing the same for printing and in reading and correcting the proofs of all matters therein contained. And the Secretary of State is directed to draw his warrant in favor of said Commissioner upon the completion of said work in the said sum of four thousand (\$4,000.00) dollars and the State Treasurer is directed to pay the same. He shall be furnished by the Secretary of State with the necessary stationery and supplies for the purpose of such work and not less than two copies of each of the present Codes and three copies of each of the Eleventh, Twelfth, Thirteenth, Fourteenth and Fifteenth Session Laws."

Amend said Senate Bill No. 127 by adding thereto Sections to be numbered 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, which said Sections shall read as follows:

"Section 6. Oath of Office. Before entering upon the discharge of his duties the said commissioner shall take and subscribe the oath of office provided for by No. 362 (1010) of the Political Code, to be filed in the office of the Secretary of State."

"Section 7. Division of Codes and Index. The commissioner shall divide the laws into four Codes which shall be the same as the present Codes and shall make for each of said Codes a new, complete and thorough index to the contents thereof, alphabetically and topographically arranged and of sufficient particularity and clearness to definitely refer to each section contained in such Codes and each subject thereof; which index must be printed and bound in its appropriate volume and Code and he also must provide in one of said volumes a new general index of like thoroughness and completeness, alphabetically arranged and of such clearness and particularity as to refer to each Section and each subject thereof, as contained in all of said Codes."

"Section 8. Matter to be Included. Said commissioner is hereby authorized and instructed to prepare with said Codes for publication, and in the first part of the first volume, a copy of the Constitution of the United States and the State of Montana; the Declaration of Independence; the Organic Act of the Territory of Montana; the Act for admission of Montana as a State; the Laws of Congress relating to naturalization and the authentication of the laws and records, together with an index of each of the foregoing."

"Section 9. Identification of Statutes. In compiling and revising said Statutes of the Eleventh, Twelfth, Thirteenth, Fourteenth and Fifteenth Legislative Assemblies, the commissioner must add a note to each section, showing the date of its enactment."

"Section 10. Powers of Commissioner. The Act shall not be construed as giving said commissioner power for modifying or making any laws of Montana, but only as giving him full power and authority to complete a full revision and compilation of the laws of the State of Montana."

"Section 11. Annotations. Said Codes and laws as compiled and revised by said commissioner shall be annotated by the publisher thereof, which annotation



shall show by proper and appropriate references all decisions of the Supreme Court of Montana, commenting upon or in any way referring to any section of the laws or Constitution of Montana, up to the first day of June, 1917, and annotations to the decisions of the Supreme Court of California; referring to or in any way construing laws of that State where such laws are similar to the laws of Montana. Such annotations shall state only the title of the case and the names, the number of volume and page of report or reports containing such decisions."

"Section 12. Form of Publication. The said Codes when so revised and compiled shall be known as and referred to as the Revised Codes of Montana of 1917, and shall be published in two volumes of equal size, quality and power, press work and binding, and similar in respect to the type used in the Codes of 1907."

"Section 13. Payment of Publisher. On the certificate of the Secretary of State that he has received one thousand sets of said Codes, printed and bound in accordance with said contract, the Auditor of the State is directed to draw his warrant in favor of the publisher of said Codes for the amount of money due to him under said contract, and the Treasurer of the State is hereby authorized to pay the said warrant out of any moneys in his hands not otherwise appropriated."

"Section 14. Bond of Contractor. The publisher to whom said contract is awarded must execute to the State of Montana a good and sufficient bond in the sum of ten thousand (\$10,000.00) dollars, conditioned for the faithful performance of said contract."

"Section 15. Distribution of Revised Codes. The Secretary of State, upon receipt of said published Codes, shall distribute the same or as many of them as may be necessary, in the same manner and to the same officers and offices as Session Laws are distributed."

That Section 6 of said Senate Bill No. 127 be renumbered "Section 16" but otherwise to remain as set forth in said Senate Bill No. 127.

That Section 17 be added to read as follows: "Section 17. All Acts and parts of Acts in conflict with this Act are hereby repealed."

That Section 17 of said Senate Bill No. 127 be renumbered to read "Section 18" but otherwise said section to remain as originally provided in said Senate Bill No. 127.

And that, as amended, as hereinabove set forth, said Bill be concurred in.

Mason: I move the adoption of the report.

Lusk: As a substitute, I move that S. B. No. 127 be placed on General Orders.

Substitute motion carried.

Lusk: I move that House Bills Nos. 94, 442, 403, 393, 310, 424, 322, 281, 381 be considered correctly engrossed and placed on General Orders.

Motion carried.

On motion of McMahon, House recessed until 7:00 P. M.

#### EVENING SESSION.

House reassembled at 7:00 P. M.

Mr. Speaker in the Chair.

No objection being offered, House reverted to Seventh Order of Business.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 121 was this day unfavorably reported, and is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate Conference Committee appointed to confer with a like Committee from the House on the Senate amendments to House Bill No. 86, report that they

have held such conference and recommend that the Senate recede from its amendment to said Bill and that the same be concurred in without amendment.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read first and second time, and referred as follows:

H. B. No. 449, by Murray, relating to employment for female employees. Referred to Committee on Labor and Capital.

H. B. No. 443, by Appropriation Committee, relating to claims of cities against firemen's disability fund. Referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Judiciary reported H. B. No. 339, with the recommendation that the Bill be amended as follows: Amend Section 1 by inserting after the words "to expire" in line 15 and line 19, the following: "On the date prescribed by law, and no license shall be issued to extend beyond the 31st day of December, 1918," and the Bill as amended be concurred in. Report adopted.

Committee on Finance and Claims reported H. B. No. 167 with the recommendation that the Bill be amended as follows: Amend Section 1 in line 9 of the printed Bill by changing the words "Alexander Henry" to read "Andrew Henry." Strike out in line 9 and line 10 of the printed Bill, after the word "Fort" and before the words "in 1807," the following: "the first permanent habitation within what is now the State of Montana." In line 10 of the printed Bill change the figures "1807" to read "1810." And the Bill as amended be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Constitutional Amendments reported S. B. No. 206 with the recommendation that the Bill do pass. Report adopted.

Committee on Enrollment reported S. B. Nos. 6, 166, 167, 155, 85, S. J. M. No. 3, delivered to His Excellency, the Governor, at the hour of 9:35 o'clock A. M., and received the receipt of his Secretary therefor. Report adopted.

Committee on Printing reported S. B. No. 151 correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, February 28, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Enrollment reported the following Senate Bills correctly enrolled: Nos. 166, 6, 167, 155, 85, S. J. M. No. 3. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that His Excellency, the Governor, this day advised the Senate that he had approved the following Bills:

S. B. No. 101, by Morris.

S. B. No. 179, by Oliver.

S. B. No. 92, by Jones.

S. J. R. No. 5, by O'Shea.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Special Committee appointed to consider Bills coming from the House since the fiftieth day, reported H. B. No. 445 as entitled to consideration by the Senate.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following House measures:

H. B. No. 400.

H. B. No. 222.

H. B. No. 298.

H. B. No. 276.

H. B. No. 284.

H. B. No. 180.

H. B. No. 351.

H. J. M. No. 8.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in House amendments to Senate Bill No. 78, by Healy.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day failed to agree in House amendments to S. B. No. 28, and the President of the Senate appointed a Conference Committee of three Senators to meet with a like Committee from the House to consider the House amendments to Senate Bill No. 28. The Senators appointed are as follows: Meadors, Morris, Featherly.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, Afternoon Session, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills was this day reported from Standing Committee with recommendation:

Committee on Printing reported S. B. No. 120 correctly printed. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in the House amendments to Senate Bill No. 16.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in House amendments to the following Senate Bills:

S. B. No. 153, by Smith.

S. B. No. 75, by Annin.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in the House amendments to Senate Bill No. 18, by Healy.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committees with recommendations:

Committee on Finance and Claims reported the following House Bills with the recommendation that they be concurred in: H. B. Nos. 313, 314, 315, 316, 415, 416, 342. Report adopted.

Committee on Judiciary reported H. B. No. 417 with the recommendation that it be concurred in. Report adopted.

Committee on Libraries reported H. B. No. 102 with the recommendation that it be concurred in as amended by the House. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House measures were this day reported from Standing Committees with recommendations:

H. B. No. 264. Reported from Judiciary Committee with the recommendation that the Bill be concurred in. Report adopted.

H. B. No. 449. Reported from Committee on Labor and Capital with the recommendation that the Bill be concurred in.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills, having this day been read three several times and concurred in, titles agreed to, are herewith returned.

H. B. No. 417, by Higgins.

H. B. No. 313, by Committee on Appropriations.

H. B. No. 314, by Committee on Appropriations.

H. B. No. 315, by Committee on Appropriations.

H. B. No. 316, by Committee on Appropriations.

H. B. No. 415, by Committee on Appropriations.

H. B. No. 416, by Committee on Appropriations.

H. B. No. 432, by Committee on Appropriations.

H. B. No. 264, by Judiciary Committee.

H. B. No. 449, by Murray.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that H. B. No. 452 was this day read first and second time and referred to Committee on Finance and Claims.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in H. B. No. 167, as amended, and herewith transmits the Bill to your Honorable Body for concurrence in Senate amendments.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills, having this day been read three several times and



concurred in as amended, titles agreed to, are herewith transmitted to your Honorable Body for concurrence in Senate amendments:

H. B. No. 102, by Ward.

H. B. No. 155, by White, Holt and Bernard.

H. B. No. 339, by Page.

Respectfully,

J. F. CONE, Secretary of the Senate.

Lusk: I move that the House do now resolve itself into a Committee of the Whole for the consideration of General Orders and that debate be limited to ten minutes upon any one Bill.

Motion carried.

#### GENERAL ORDERS.

Sand in the Chair.

House resumed.

Mr. Speaker in the Chair.

Sand, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 143, by Roberts, entitled, "An Act to appropriate money to establish and maintain normal training courses and junior college courses in high schools: to provide for the apportionment of said money and to authorize the issuance of teachers' certificates to graduates of such normal training courses in high schools," report same back to the House with the recommendation that same be amended as follows, to-wit:

Amend Section 1 by striking out the words "junior college courses and" in line 6.

Amend Section 2 by adding after the word "instruction" in line 12 the following: "and the Chancellor."

Amend Section 2 by striking out in lines 13 and 17 the words "junior college courses" and by striking out in line 21 the following: "junior college instruction."

Amend Section 3 by adding thereto the following: "Provided, however, that no payments shall be made under this Act to any high school which does not comply with the provisions of Senate Bill No. 189 of the Acts of the Fifteenth Legislative Assembly, relating to normal training courses and junior college courses in high schools"; and that, as amended, same be concurred in.

Report adopted.

Lusk: I move that the House do now resolve itself into a Committee of the Whole for the consideration of General Orders. Motion carried.

#### GENERAL ORDERS.

Searles in the chair.

House resumed.

Mr. Speaker in the chair.

Searles, from the Committee of the Whole, reported as follows:

Mr. Speaker: Your Committee of the Whole, having had under consideration S. B. No. 127, by Jones, entitled, "An Act to provide for the revision and recompilation of the laws of the State of Montana, and the appointment of a commission therefor, and providing for an appropriation to pay the cost thereof," report same back with the recommendation that it be concurred in. Report adopted.

Lusk: I move that Senate Bills Nos. 143 and 127 be placed upon Third reading and that H. B. No. 448 be placed at the head of the list. Motion carried.

Lusk: I move that S. B. No. 50 be placed upon Third reading. Motion carried.

The House failed to concur in Senate amendments to H. B. No. 448, by the following vote:

Ayes: None.

Noes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harmon, Hathaway, Hawks, Hender-

son, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—84.

Absent and not voting: Bernard, Carll, Clark, Cotter, Farmer, Husser, Johnston of Ravalli, Jones, Phelps, Rainey; Mr. Speaker present but not voting—11.

Cutts: I move that a committee of seven be appointed to act with a like committee from the Senate on Senate amendments to H. B. No. 448. Motion carried.

Mr. Speaker appointed the following committee: Ashby, Higgins, White, Spain, Huffaker, Searles, Griffin.

S. B. No. 143, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Carll, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Husser, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McClory, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Prosser, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—83.

Noes: None.

Absent and not voting: Bent, Bernard, Blake, Clark, Connolly, Farmer, Fishbaugh, Jones, Lusk, O'Brien, Phelps; Mr. Speaker present but not voting—12.

Title agreed to and Bill returned to Senate.

Lusk: I move that the Conference Committee appointed to act upon H. B. No. 448 be authorized to act also upon H. B. No. 450, when it is returned from the Senate. Motion carried.

S. B. No. 127, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Baxter, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Cutts, Davis, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Griffin, Gullidge, Harbert, Hawks, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, Mason, Middleton, Morris, Morrow, O'Brien, Prosser, Quaintance, Rasmussen, Scott, Searles, Shaw, Spain, Stimpert, Weil, Working—61.

Noes: Belden, Bent, Connolly, Gould, Hathaway, Higgins, Kehoe, Kemmis, McQuarrie, Page, Rainey, Sand, Sektan, Wheat—14.

Absent and not voting: Ashby, Bernard, Carll, Cotter, Crismas, Crowley, Deibel, Farmer, Grimes, Harmon, Henderson, Husser, Johnston of Ravalli, Jones, McMillan, Murray, Phelps, Ward, White; Mr. Speaker present but not voting—20.

Title agreed to and Bill returned to Senate.

McMahon: I move that the membership of the Conference Committee on House Bills Nos. 448 and 450 be increased from seven to eleven members. Motion carried.

Mr. Speaker appointed the following additional members: Eliel, Cutts, Blake, McMahon.

Mr. Speaker notified the House that he was about to sign Senate Bills Nos. 188, 66, 170 and 142 and signed same in the presence of the House.

McMahon was granted the privileges of the floor, and on behalf of the entire membership of the House presented the Speaker, Honorable James F. O'Connor, with a beautiful gold watch and fob, as a slight token of the esteem and respect in which he is held by both Democratic and Republican members. With a few well chosen words, McMahon asserted that Judge O'Connor, while elected by the prevailing majority, had been absolutely impartial in his rulings and had truly presided as the Speaker of the whole House.

In accepting the gift and the evidence of good will which accompanied it, the Speaker assured the House of his deep appreciation, stating that he had intended and tried at all times to preside over the body with absolute fairness. That he might be impartial at all times, he stated that he had refrained from engaging in the debates, although he had been deeply interested, as were the members on the floor. Mr. Speaker assured the House, collectively and as individuals, of his high regard and of his appreciation of their patience and courtesy throughout the session.

S. B. No. 50, having been read three several times, was concurred in, as amended, by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Harmon, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Lewis, Lusk, McClory, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Quaintance, Rainey, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working—77.

Noes: Higgins—1.

Absent and not voting: Bernard, Carll, Crismas, Farmer, Gould, Hathaway, Hawks, Husser, Johnston of Ravalli, Jones, Larse, Lemmon, McDonald, Phelps, Prosser, White; Mr. Speaker present but not voting—17.

Title agreed to and Bill returned to Senate for concurrence in House amendments.

The following Resolution was introduced by Eliel:

This House has been faithfully served by the representatives of the Press in attendance during the Session. Proceedings have been accurately and impartially reported and published by them. They have been invariably courteous and tactful in making their reports. In recognition of this, it is

**THEREFORE RESOLVED**, That this House hereby express its deep sense of obligation to all the representatives of the Press who have been in attendance and our appreciation of the fact that the judgment which the people of Montana will pass upon our work will probably be more just and considerate owing to the careful yet honest reports which these gentlemen have made for publication through the medium of the several journals which they have served. The House hereby compliments these gentlemen upon the efficient service they have rendered, not only to their employers, but to the public as well. Resolution adopted.

Senate amendments to H. B. No. 102 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Clark, Cotter, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Higgins, Holt, Huffaker, Hurd, Ingalls, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McMillan, McQuarrie, Mason, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Scott, Searles, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—79.

Noes: None.

Absent and not voting: Bernard, Buell of Gallatin, Carll, Connolly, Farmer, Harmon, Husser, Jensen, Jones, McClory, McMahon, Middleton, Phelps, Rainey, Sand; Mr. Speaker present but not voting—16.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 155 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Baxter, Bent, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Cotter, Crismas, Crowley, Davis, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Griffin, Grimes, Gullidge, Harbert, Harmon, Hathaway, Hawks, Henderson, Henry, Higgins,

Huffaker, Hurd, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kelsey, Lemmon, Lewis, Lusk, McDonald, McMahon, McMillan, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Prosser, Rasmussen, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—72.

Noes: Brooks, Holt, Kehoe, Kemmis, Lanstrum, Larse, Morris—7.

Absent and not voting: Ashby, Belden, Bernard, Carll, Connolly, Cutts, Farmer, Husser, Ingalls, Jones, McClory, Phelps, Quaintance, Rainey, Searles; Mr. Speaker present but not voting—16.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 339 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Baxter, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Deibel, Demel, Duffy, Eaton, Eliel, Fishbaugh, Griffin, Gullidge, Hathaway, Henderson, Henry, Holt, Huffaker, Hurd, Ingalls, Ironside, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McMahon, McMillan, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, White, Working—64.

Noes: Jensen—1.

Absent and not voting: Ashby, Bernard, Carll, Clark, Cotter, Crismas, Crowley, Cutts, Davis, Dodds, Farmer, Fuller, Gould, Grimes, Harbert, Harmon, Hawks, Higgins, Husser, Johnston of Ravalli, Jones, Lanstrum, McClory, McDonald, Phelps, Quaintance, Rainey, Rasmussen, Searles; Mr. Speaker present but not voting—30.

Bill referred to Engrossing Committee.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, to whom was referred House Bills Nos. 315, 171, 313, 416, 449, beg leave to report same back as correctly enrolled. Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 449, 416, 313, 171 and 315 and signed same in the presence of the House.

The following Resolution was offered by Belden:

Mr. Speaker: At the close of the Fifteenth Legislative Assembly it seems meet and proper that before adjournment the House should take this method of expressing the appreciation which we feel to the employees and attaches of this branch of the Legislative Assembly.

The diligent and intelligent manner in which the records have been kept and the clerical portion of our labors dispatched is due in a very large measure to your capable and conscientious co-operation. For the orderly consideration of the business of the House and the maintenance of its dignity, much credit is due to the executive staff.

As the curtain is rung down on the Fifteenth Legislative Assembly, the members of the House of Representatives extend their heartiest good wishes to all the officers, employees and attaches of the House.

Resolution adopted by unanimous standing vote.

## CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills, having this day been read three several times and concurred in as amended, are herewith returned to your Honorable Body for concurrence in Senate amendments:

H. B. No. 431, by Rainey.

H. B. No. 450, by Committee on Appropriations.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body



that the following House Bills, having this day been read three several times and concurred in, titles agreed to, same are herewith returned :

H. B. No. 445, by Committee on Appropriations.

H. B. No. 441, by Kehoe.

H. B. No. 452, by Committee on Appropriations.

H. B. No. 215, by Higgins.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day reconsidered the vote on H. B. No. 215, and same was asked to be returned for further consideration by the Senate.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Enrollment Committee this day reported the following Bills correctly enrolled. Report adopted :

S. B. Nos. 188, 66, 170 and 142.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate appointed the following Senators to confer with a like Committee from the House to consider Senate amendments to H. B. No. 448: Kinney, Annin, Meadors, Williams, McCone, Taylor, O'Shea, Burla, Healy, Morris, Whiteside.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, and are herewith transmitted to the House for concurrence in Senate amendments :

H. B. No. 223, by Husser.

H. B. No. 239, by Stimpert.

H. B. No. 448, by Committee on Appropriations.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate failed to concur in the House amendments to S. B. No. 17, by O'Shea, and the President of the Senate appointed a Conference Committee to confer with a like Committee from the House. Senators appointed are as follows: Dwight, Gallwey and Kane.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in the House amendments to the following Bills:

S. B. No. 148, by Edwards.

S. B. No. 169, by Committee on Banks and Banking.

S. B. No. 189, Substitute for S. B. No. 189, by Roberts.

S. B. No. 193, by Stevens.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following House measures :

H. B. No. 345, by Gould.

H. B. No. 349, by Gould.

H. B. No. 18, by Baldwin.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee on Enrollment this day reported the following Bills correctly enrolled:

S. B. No. 153.

S. B. No. 159.

S. B. No. 171.

S. B. No. 91.

Joint Memorial No. 4.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from the Standing Committees with recommendations:

Committee on Counties and Towns reported H. B. No. 121 with the recommendation that the Bill be not concurred in. Report adopted.

Committee on Counties and Towns reported H. B. No. 223 with the recommendation that the Bill be amended as follows: Amend by substituting for Section 8 in the Bill the following which shall be Section 8: "Nothing in this Section shall be construed or operate so as to interfere in any way with the exercise of the child's or parent's religious belief, as to the examination for, or in the treatment of, diseases; provided, that quarantine regulations relating to contagious or infectious diseases are not infringed upon"; and that the Bill as amended be concurred in. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Committee appointed to confer with a like Committee from the House to consider House amendments to S. B. No. 28, report with the recommendation that the Bill be further amended as follows: Amend Section 7 by adding the words "and appoint a," which will make said amendment read as follows: "And appoint a Board of three Directors to serve until the next general election"; and recommend that the Bill as amended do pass. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Lusk: I move that a Conference Committee of three be appointed to confer with a like Committee from the Senate on House amendments to S. B. No. 17.

Motion carried.

Mr. Speaker appointed the following Committee: Harbert, Lusk and Page.

Lusk: I move that Senate amendments to H. B. No. 450 be not concurred in. Motion carried.

Senate amendments to H. B. No. 431 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Baxter, Belden, Bent, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Crowley, Davis, Deibel, Demel, Duffy, Eaton, Fuller, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Holt, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kemmis, Larse, Lemmon, Lewis, Lusk, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Prosser, Quaintance, Rainey, Rasmussen, Scott, Searles, Shaw, Stimpert, Weil, Wheat, Work-in, Mr. Speaker—66.

Noes: None.

Absent and not voting: Ashby, Bernard, Carll, Clark, Cotter, Crismas, Crowley, Cutts, Dodds, Eliel, Farmer, Fishbaugh, Gould, Griffin, Harmon, Higgins, Huffaker, Husser, Jones, Kelsey, Lanstrum, McClory, McMillan, Page, Phelps, Sand, Sektnan, Spain, Ward, White—29.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 239 were concurred in by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Baldwin, Ball, Baxter, Bent, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Crismas, Crowley, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Griffin, Gullidge, Hathaway, Hawks, Henderson, Henry, Holt, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kelsey, Kemmis, Lanstrum, Larse, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Prosser, Scott, Sektnan, Stimpert, Weil, Wheat, Working—54.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Ashby, Belden, Bernard, Blake, Brooks, Carll, Clark, Cotter, Cutts, Davis, Farmer, Gould, Grimes, Harbert, Harmon, Higgins, Huffaker, Husser, Johnston of Ravalli, Jones, Kehoe, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McMillan, O'Brien, Phelps, Quaintance, Rainey, Rasmussen, Sand, Searles, Shaw, Spain, Ward, White; Mr. Speaker present but not voting—41.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 223 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Cotter, Deibel, Demel, Dodds, Duffy, Eliel, Fishbaugh, Fuller, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Holt, Hurd, Ingalls, Ironside, Jensen, Johnson of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lewis, McQuarrie, Middleton, Morris, Morrow, Murray, Phelps, Prosser, Sand, Scott, Stimpert, Weil, Wheat, Working—56.

Noes: Lusk, Mason—2.

Absent and not voting: Ashby, Baxter, Belden, Bernard, Blake, Carll, Clark, Crismas, Crowley, Cutts, Davis, Eaton, Farmer, Gould, Griffin, Harmon, Higgins, Huffaker, Husser, Jones, Lemmon, McClory, McDonald, McMahon, McMillan, O'Brien, Page, Quaintance, Rainey, Rasmussen, Searles, Sektnan, Shaw, Spain, Ward, White; Mr. Speaker present but not voting—37.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 381 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Baldwin, Ball, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Connolly, Cotter, Davis, Demel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Holt, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Larse, Lemmon, Lewis, Lusk, McQuarrie, Mason, Middleton, Morrow, Murray, Page, Prosser, Rainey, Sand, Scott, Sektnan, Shaw, Stimpert, Weil, Wheat, Working—56.

Noes: None.

Absent and not voting: Andrew, Arneson, Ashby, Baxter, Belden, Bernard, Blake, Burnworth, Carll, Clark, Crismas, Crowley, Cutts, Deibel, Eliel, Farmer, Gould, Harmon, Henderson, Henry, Higgins, Huffaker, Husser, Jones, Lanstrum, McClory, McDonald, McMahon, McMillan, Morris, O'Brien, Phelps, Quaintance, Rasmussen, Searles, Spain, Ward, White; Mr. Speaker present but not voting—39.

Bill referred to Engrossing Committee.

Senate amendments to H. B. No. 167 were concurred in by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Baxter, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Clark, Connolly, Cotter, Crismas, Crowley, Demel,

Dodds, Duffy, Eaton, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henry, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lewis, McClory, McDonald, McQuarrie, Mason, Middleton, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Sektnan, Shaw, Stimpert, Weil, Wheat, Working—64.

Noes: None.

Absent and not voting: Ashby, Belden, Bernard, Blake, Carll, Cutts, Davis, Deibel, Eliel, Farmer, Gould, Harmon, Henderson, Higgins, Holt, Huffaker, Husser, Jones, Lemmon, Lusk, McMahon, McMillan, Morris, Phelps, Rainey, Scott, Searles, Spain, Ward, White; Mr. Speaker present but not voting—31.

Bill referred to Engrossing Committee.

H. B. No. 393, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Baxter, Belden, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Cotter, Crismas, Duffy, Eaton, Fishbaugh, Fuller, Griffin, Grimes, Gullidge, Harbert, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, Page, Prosser, Quaintance, Rasmussen, Scott, Sektnan, Weil—50.

Noes: Hathaway, Hawks, Kemmis, Shaw—4.

Absent and not voting: Ashby, Bent, Bernard, Blake, Carll, Clark, Crowley, Cutts, Davis, Deibel, Demel, Dodds, Eliel, Farmer, Gould, Harmon, Henderson, Henry, Higgins, Holt, Huffaker, Husser, Johnston of Ravalli, Jones, Lusk, McClory, McDonald, McMahon, McMillan, O'Brien, Phelps, Rainey, Sand, Searles, Spain, Stimpert, Ward, Wheat, White, Working; Mr. Speaker present but not voting—41.

Title agreed to and Bill transmitted to the Senate.

Rasmussen: I move that the Chief Clerk be instructed to make correction in House Bill No. 102 by striking out of Section 4 the following: "The County Librarian shall have power to make general rules and regulations regarding the policy of the County Free Library."

Motion carried.

Harbert, from the Conference Committee on House amendments to Senate Bill No. 17, reported as follows:

Mr. Speaker: The Senate recedes from its objections to House amendments to Senate Bill No. 17.

Report adopted.

H. B. No. 424, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Anderson (Oscar W.), Andrew, Arneson, Baldwin, Ball, Baxter, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Cotter, Crowley, Deibel, Demel, Dodds, Duffy, Eaton, Fuller, Griffin, Grimes, Harbert, Hathaway, Hawks, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Jones, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, McDonald, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Stimpert, Weil, Working—61.

Noes: None.

Absent and not voting: Ashby, Belden, Bernard, Blake, Carll, Clark, Crismas, Cutts, Davis, Eliel, Farmer, Fishbaugh, Gould, Gullidge, Harmon, Henderson, Henry, Higgins, Holt, Huffaker, Husser, Johnston of Ravalli, Lusk, McClory, McMahon, McMillan, Phelps, Rainey, Shaw, Spain, Ward, Wheat, White; Mr. Speaker present but not voting—34.

Title agreed to and Bill transmitted to Senate for concurrence.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that House Bill No. 144 has been correctly enrolled.

Report adopted.



Mr. Speaker notified the House that he was about to sign H. B. No. 144, and signed same in the presence of the House.

H. B. No. 322, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Andrew, Arneson, Baldwin, Ball, Baxter, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Connolly, Cotter, Dodds, Duffy, Eaton, Farmer, Gould, Gullidge, Harbert, Hawks, Henderson, Higgins, Hurd, Ingalls, Ironside, Johnston of Ravalli, Jones, Kelsey, Lemmon, Lusk, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Prosser, Rasmussen, Sand, Scott, Sektnan, Shaw, Weil, Working—46.

Noes: Anderson (Oscar W.), Belden, Bent, Crismas, Fuller, Henry, Jensen, Johnson of Deer Lodge, Lanstrum, Lewis, McClory, Quaintance, Wheat—13.

Absent and not voting: Ashby, Bernard, Blake, Buchanan, Burnworth, Carll, Clark, Crowley, Cutts, Davis, Deibel, Demel, Eliel, Fishbaugh, Griffin, Grimes, Harmon, Hathaway, Holt, Huffaker, Husser, Kehoe, Kemmis, Larse, McDonald, McMahon, McMillan, Page, Phelps, Rainey, Searles, Spain, Stimpert, Ward, White; Mr. Speaker present but not voting—36.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 281, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Baldwin, Ball, Bent, Blake, Blodgett, Booth, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Eaton, Fuller, Grimes, Gullidge, Harbert, Hawks, Hurd, Ironside, Jensen, Johnson of Deer Lodge, Lanstrum, Lusk, McClory, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Rasmussen, Sand, Scott, Sektnan, Stimpert, Working—40.

Noes: Cotter, Crismas, Dodds, Henry, Kelsey, Lemmon, Lewis, Wheat—8.

Absent and not voting: Anderson (Oscar W.), Andrew, Baxter, Belden, Bernard, Brooks, Carll, Clark, Crowley, Cutts, Davis, Deibel, Demel, Duffy, Eliel, Farmer, Fishbaugh, Gould, Griffin, Harmon, Hathaway, Henderson, Higgins, Holt, Huffaker, Husser, Ingalls, Johnston of Ravalli, Jones, Kehoe, Kemmis, Larse, McDonald, McMahon, McMillan, Page, Phelps, Prosser, Quaintance, Rainey, Searles, Shaw, Spain, Ward, Weil, White; Mr. Speaker present but not voting—47.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 94, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Baldwin, Ball, Baxter, Belden, Bent, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Cotter, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Gould, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Holt, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Prosser, Quaintance, Sand, Scott, Searles, Sektnan, Stimpert, Weil, Wheat, Working—56.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Andrew, Arneson, Ashby, Bernard, Blake, Blodgett, Carll, Clark, Crismas, Crowley, Cutts, Davis, Deibel, Demel, Eliel, Farmer, Griffin, Grimes, Harmon, Higgins, Huffaker, Husser, Johnston of Ravalli, Jones, Kehoe, Kelsey, Kemmis, McMahon, McMillan, Page, Phelps, Rainey, Rasmussen, Shaw, Spain, Ward, White; Mr. Speaker present but not voting—39.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 442, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Arneson, Ball, Baxter, Belden, Bent, Blodgett, Booth, Brooks, Buell of Missoula, Buell of Gallatin, Buchanan, Burnworth, Connolly, Cotter, Crismas, Crowley, Deibel, Demel, Dodds, Duffy, Eaton, Fuller, Griffin, Grimes, Gullidge, Harbert, Hathaway, Hawks, Henderson, Henry, Holt, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McDonald, McQuarrie, Mason, Middleton,

Morris, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Searles, Sektnan, Shaw, Stimpert, Weil, Wheat, Working—64.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Andrew, Ashby, Baldwin, Bernard, Blake, Carll, Clark, Cutts, Davis, Eliel, Farmer, Fishbaugh, Gould, Harmon, Higgins, Huffaker, Husser, Johnston of Ravalli, Jones, Kemmis, McClory, McMahon, McMillan, Morrow, Phelps, Rainey, Spain, Ward, White; Mr. Speaker present but not voting—31.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 310, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Arneson, Baldwin, Ball, Baxter, Belden, Booth, Brooks, Buell of Missoula, Buchanan, Burnworth, Connolly, Cotter, Crismas, Deibel, Dodds, Duffy, Eaton, Fishbaugh, Fuller, Grimes, Gullidge, Harbert, Hathaway, Hawks, Higgins, Holt, Hurd, Ironside, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McDonald, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Sektnan, Spain, Shaw, Stimpert, Ward, Weil, Wheat, Working—65.

Noes: None.

Absent and not voting: Anderson (Oscar W.), Andrew, Ashby, Bent, Bernard, Blake, Blodgett, Carll, Clark, Crowley, Cutts, Davis, Demel, Eliel, Farmer, Gould, Buell of Gallatin, Griffin, Harmon, Henry, Huffaker, Husser, Ingalls, Jones, McMillan, Phelps, Rainey, Searles, White; Mr. Speaker present but not voting—30.

Title agreed to and Bill transmitted to Senate for concurrence.

H. B. No. 403, having been read three several times, was passed by the following vote:

Ayes: Andersen (Charles), Baldwin, Ball, Baxter, Belden, Blodgett, Booth, Buell of Missoula, Buchanan, Burnworth, Connolly, Cotter, Crismas, Crowley, Duffy, Eaton, Eliel, Fishbaugh, Fuller, Gould, Grimes, Gullidge, Harbert, Hathaway, Henderson, Henry, Hurd, Ingalls, Ironside, Jensen, Johnson of Deer Lodge, Kehoe, Kelsey, Kemmis, Lanstrum, Larse, Lemmon, Lusk, McDonald, McMahon, McQuarrie, Mason, Morris, Morrow, Murray, O'Brien, Page, Prosser, Quaintance, Rasmussen, Sand, Scott, Sektnan, Shaw, Spain, Stimpert, Ward, Weil, Wheat, Working—60.

Noes: Arneson, Bent, Brooks, Buell of Gallatin, Hawks—5.

Absent and not voting: Anderson (Oscar W.), Andrew, Ashby, Bernard, Blake, Carll, Lewis, Clark, Cutts, Davis, Deibel, Demel, Dodds, Farmer, Griffin, Harmon, Higgins, Holt, Huffaker, Husser, Johnston of Ravalli, Jones, McClory, McMillan, Searles, Middleton, Phelps, Rainey, White; Mr. Speaker present but not voting—30.

Title agreed to and Bill transmitted to Senate for concurrence.

## CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in House amendments to the following Senate Bills:

S. B. No. 50, by Morris.

S. B. No. 143, by Roberts.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Bills were this day reported from Standing Committee with recommendations:

Committee on Mines and Mining reported H. B. No. 191 and H. B. No. 192 with the recommendation that they be indefinitely postponed.

Bills are herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate this day was unable to agree on House amendments to Senate Bill No. 127, by Jones, and the President of the Senate appointed a Conference Committee of three members to confer with a like Committee from the House to consider the House amendments to S. B. No. 127, said Committee being as follows: Jones, Parker and Oliver.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Bill No. 409, having this day been read three several times and concurred in, title agreed to, is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.

Lusk: I move that a Committee of three be appointed by the Speaker to confer with a like Committee from the Senate, to act on House amendments to S. B. No. 127.

Motion carried.

Mr. Speaker appointed the following Committee: Mason, Lusk and Lanstrum.

On motion of Lemmon, House recessed for thirty minutes.

House resumed.

Mr. Speaker in the Chair.

#### CONSIDERATION OF MESSAGES FROM THE GOVERNOR.

The following communication was received from His Excellency, the Governor:

Executive Office, Helena, Montana, March 1, 1917.

The Speaker of the House of Representatives, Helena, Montana:

I have the honor to advise you that I have this day approved the following House measures:

H. B. 400, relating to a mothers' pension.

H. B. 449, regulating the hours of employment for female employees.

S. V. STEWART, Governor.

On motion of Gould, House recessed for thirty minutes.

House resumed.

Mr. Speaker in the Chair.

Mason, from the Conference Committee on House amendments to Senate Bill No. 127, reported as follows:

Mr. Speaker: We, your Conference Committee, appointed to confer with a like Committee from the Senate on the House amendments to Senate Bill No. 127, respectfully beg leave to report as follows: That we could not agree with the Senate Committee on said amendments to said Senate Bill No. 127 and ask to be discharged.

Report adopted.

Murray: I move to recess, subject to the call of the Speaker.

Motion carried.

House resumed.

Mr. Speaker in the Chair.

Ashby, from the Joint Conference Committee on Senate amendments to H. B. No. 448, reported as follows:

Mr. Speaker: We, your Joint Conference Committee, having had under consideration House Bill No. 448, introduced by Committee on Appropriations, being a Bill for an Act entitled, "An Act appropriating money for the maintenance of the executive and judicial departments of the State government for two years,

commencing March 1st, 1917, and ending February 28th, 1919," beg leave to report as follows:

The House members concur in the Senate amendments to line 28 of the printed Bill.

The House members concur in the Senate amendments to line 38.

The House members concur in the Senate amendments to line 55.

The Senate members recede from their amendments to line 61.

The House members concur in the Senate amendments to line 73.

The House members concur in the Senate amendments to line 82.

The House members concur in the Senate amendments to line 85.

The Senate recedes from its amendments to lines 94, 161 and 162.

In line 105½, the Senate increases the appropriation in their amendment from one thousand dollars to thirty-five hundred dollars, and the House concurs in the same.

The House members concur in the Senate amendments to line 109.

The Committee recommends that line 148 be amended by adding thereafter a new line to be numbered 148½, to read as follows: "for water analysis and inspection of water systems, four thousand dollars."

The Committee recommends that line 166 be amended by striking out the words "ten thousand dollars" and inserting in lieu thereof the words "five thousand dollars."

The Senate recedes from its amendment to strike out lines 185 and 186.

The House members concur in the Senate amendments to lines 187 and 188.

The House members concur in the Senate amendments to line 195½.

The House members concur in the Senate amendments to lines 197 and 197½.

The House members concur in the Senate amendments to line 251.

The House members concur in the Senate amendments to line 261.

The House members concur in the Senate amendments to line 277.

The Senate recedes from its amendment to line 282.

The House concurs in the Senate amendments to line 295.

The House members concur in the Senate amendments to line 304.

The House members concur in the Senate amendments to line 307.

The Senate recedes from its amendment to line 316.

The House members concur in the Senate amendments to line 331.

The Committee recommends that line 367 be amended by adding thereafter a new line to be numbered 367½, to read as follows: "for water analysis and inspection of water systems, four thousand dollars."

The Senate recedes from its amendments to lines 380 and 381.

The Senate recedes from its amendments to line 385.

The Committee recommends that in line 385 the words "ten thousand dollars" be stricken out, and the words "five thousand dollars" be inserted in lieu thereof.

The Senate recedes from its amendments to lines 404 and 405.

The House members concur in the Senate amendments to lines 406 and 407.

The House members concur in the Senate amendments to line 414½.

The House members concur in the Senate amendments to lines 416 and 416½.

And with the foregoing amendments, we recommend that the Bill be concurred in.

Report adopted.

On motion, H. B. No. 448, as agreed upon by Joint Conference Committee, was considered engrossed and placed on Third Reading.

Amendments to H. B. No. 448 were concurred in by the following vote:

Ayes: Anderson (Oscar W.), Arneson, Ashby, Baldwin, Ball, Baxter, Belden, Blake, Blodgett, Booth, Brooks, Buell of Missoula, Burnworth, Carll, Connolly, Cotter, Crismas, Deibel, Demel, Dodds, Duffy, Eaton, Eliel, Fuller, Gould, Griffin, Grimes, Harbert, Hathaway, Henderson, Henry, Higgins, Huffaker, Ironside, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, Murray, O'Brien, Page, Prosser, Rainey, Rasmussen, Sand, Scott, Searles, Sektman, Shaw, Spain, Stimpert, Wheat, White, Working—66.

Noes: None.

Absent and not voting: Andersen (Charles), Andrew, Bent, Bernard, Buell



of Gallatin, Buchanan, Clark, Crowley, Cutts, Davis, Farmer, Fishbaugh, Gullidge, Harmon, Hawks, Holt, Hurd, Husser, Ingalls, Jensen, Kehoe, Kemmis, McDonald, McMillan, Phelps, Quaintance, Ward, Weil; Mr. Speaker present but not voting—29.

Ashby, from the Conference Committee on Senate amendments to H. B. No. 450, reported as follows:

Mr. Speaker: We, your Conference Committee, appointed to confer with a like Committee from the Senate on the Senate amendments to House Bill 450, beg leave to report that the House failed to reach an agreement with the Senate Conference; the Senate members of the Conference Committee insisting on the Senate amendments and the House members refusing to concur therein.

Report not adopted.

Cutts: I move that the Committee be instructed to insist upon the item of \$20,000.00 for maintenance and concede the \$25,000.00 for the women's building.

Motion carried.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that House Bills Nos. 316, 86, 312, 415, 183 and 215 have been correctly enrolled.

Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 316, 86, 312, 415, 183 and 215, and signed same in the presence of the House.

On motion, House recessed, subject to call of the Speaker.

House resumed.

Mr. Speaker in the Chair.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communication was received from the Senate:

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Conference Committee of eleven members appointed to confer on Senate amendments to H. B. No. 450, having failed to agree with a like Committee from the House, said Committee was discharged and on motion the president appointed a Committee consisting of Senators Edwards, Dwight, Smith, Gallwey and Hogan to act with a like Committee to be appointed by the Speaker for further consideration of Senate amendments to House Bill No. 450.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of McMahon, seconded by fifteen members, a call of the House was ordered and the following members found to be absent: Andrew, Arneson, Baldwin, Baxter, Belden, Bernard, Blodgett, Booth, Buell of Gallatin, Burnworth, Buchanan, Clark, Connolly, Cotter, Crowley, Davis, Dodds, Duffy, Eaton, Eliel, Farmer, Fuller, Grimes, Gullidge, Harmon, Hawks, Henderson, Holt, Husser, Jensen, Johnson of Deer Lodge, Johnston of Ravalli, Kehoe, Kelsey, Kemmis, Lanstrum, Lusk, McClory, McDonald, McMillan, Phelps, Quaintance, Weil, Wheat. The following members appeared on the floor of the House: Andrew, Baldwin, Burnworth, Connolly, Dodds, Eaton, Eliel, Gullidge, Johnson of Deer Lodge, Johnston of Ravalli, Lusk, McDonald, and on motion of McMahon, call of the House was suspended.

McMahon: I now move that the Conference Committee of eleven members be discharged and that a Conference Committee of five be appointed to act with a like Committee from the Senate to confer on H. B. No. 450.

Motion carried.

Mr. Speaker appointed the following Committee: Ashby, McMahon, Hufaker, Eliel and Searles.

On motion, House recessed, subject to the call of the Chair.

House resumed.

Mr. Speaker in the Chair.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that House

Bills Nos. 432, 339, 239, 264, 417, 431, 102, 222, 409, 199 and 445, beg leave to report the same back as correctly enrolled.

Report adopted.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 417, 264, 431, 102, 223, 409, 432, 339, 239, 86, 199 and 445, and signed same in the presence of the House.

Demel: I move that all employees of the House be given one day's extra pay. Motion carried.

Mason: I move that all matters pertaining to extra compensation except Demel's resolution giving one day's extra compensation to employees, be stricken from the Journal.

Motion carried.

Ashby, from the Conference Committee on H. B. No. 450, reported as follows:

Mr. Speaker: We, your Conference Committee, having had under consideration House Bill No. 450, introduced by Committee on Appropriations, being a Bill for an Act entitled, "An Act appropriating money for the maintenance and betterment of the several State institutions of Montana for two years, commencing March 1st, 1917, and ending February 28th, 1919," beg leave to report and recommend that the same be amended as follows:

Amend Section 1 by striking out in line 6 the words "two hundred and eighty-five" and inserting in lieu thereof the words "two hundred and ninety-five," and by adding a new line to line 7, to be numbered 7½, to read as follows: "7½. For additional buildings and equipment, fifty thousand dollars."

After line 11 add a new line to be numbered 11½, to read as follows: "11½. For additional buildings, ten thousand dollars."

In line 12 strike out the word "reform" and insert in lieu thereof the word "industrial."

Amend the amendment made by the House Committee of the Whole to Section 1, wherein there was inserted after line 15 the following: "Purchase of land and options of land at State University, ten thousand dollars," by striking out all of same and inserting in lieu thereof a new line to be numbered 15½, to read as follows: "15½. Purchase of land at State University, twenty thousand dollars."

After line 26 add a new line to be numbered 26½, to read as follows: "26½. For relief outside of Soldiers' Home of members of the State National Guard temporarily disabled, one thousand dollars."

In line 31 strike out the word "Horticulture" and insert in lieu thereof the word "Horticultural."

After line 36 add a new line to be numbered 36½, to read as follows: "36½. For purchase of anti-hog cholera serum, two thousand dollars."

In line 41 and 42 strike out the words "twenty thousand dollars" and insert in lieu thereof the words "seventeen thousand five hundred dollars."

Strike out all of line 43.

Amend Section 2 in line 54 of the printed Bill by striking out the words "two hundred and eighty-five thousand dollars" and inserting in lieu thereof the words "two hundred and ninety-five thousand dollars."

After line 59 add a new line to be numbered 59½, to read as follows: "59½. For additional buildings, ten thousand dollars."

In line 60 strike out the word "Reform" and insert in lieu thereof the word "Industrial."

Strike out the amendment inserted after line 63 made by the House Committee of the Whole, which read as follows: "Purchase of land and options of land at State University, ten thousand dollars."

After line 74 add a new line to be numbered 74½, to read as follows: "74½. For relief outside of Soldiers' Home of members of the State National Guard temporarily disabled, one thousand dollars."

After line 84 insert a new line to be numbered 84½, to read as follows: "84½. For purchase of anti-hog cholera serum, two thousand dollars."

In line 89 strike out the words "twenty thousand dollars" and insert in lieu thereof the words "seventeen thousand five hundred dollars."

That, as amended, we recommend that said Bill be concurred in.  
Report adopted.

Amendments to H. B. No. 450 were concurred in by the following vote:

Ayes: Andersen (Charles), Arneson, Ashby, Baldwin, Ball, Belden, Blake, Blodgett, Brooks, Buell of Missoula, Burnworth, Connolly, Cotter, Crismas, Deibel, Demel, Dodds, Eaton, Fuller, Gould, Griffin, Gullidge, Harbert, Hathaway, Henderson, Henry, Higgins, Hurd, Johnson of Deer Lodge, Johnston of Ravalli, Jones, Kehoe, Kelsey, Lanstrum, Larse, Lemmon, Lewis, Lusk, McClory, McMahon, McQuarrie, Mason, Middleton, Morris, Morrow, O'Brien, Quaintance, Rasmussen, Searles, Shaw, Stimpert, Wheat—52.

Noes: Cutts, Duffy, Grimes, Huffaker, Ingalls, Kemmis, Murray, Page, Rainey, Sand, Scott, Sektnan, Working—13.

Absent and not voting: Anderson (Oscar W.), Andrew, Baxter, Bent, Bernard, Booth, Buell of Gallatin, Buchanan, Carl, Clark, Crowley, Davis, Eliel, Farmer, Fishbaugh, Harmon, Hawks, Holt, Husser, Ironside, Jensen, McDonald, McMillan, Phelps, Prosser, Spain, Ward, Weil, White; Mr. Speaker present but not voting—30.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following Bills:

S. B. Nos. 188, 66, 170 and 142.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following Senate Bills:

S. B. Nos. 160, 148, 130, 138, 176, 161, 178, 98, 99, 141, 116, 140, 149, 147 and 108.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Enrollment Committee reported the following Bills correctly enrolled:

S. B. Nos. 160, 148, 130, 138, 176, 161, 178, 98, 99, 141, 116, 140, 149, 147, 108. Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President this day in open session signed the following House Bills:

H. B. No. 449, by Murray.

H. B. No. 171, by Committee on Fairs and Expositions.

H. B. No. 313, by Committee on Appropriations.

H. B. No. 315, by Committee on Appropriations.

H. B. No. 416, by Committee on Appropriations.

H. B. No. 144, by White.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following measures:

H. B. No. 183, by Anderson.

H. B. No. 415, by Committee on Appropriations.

H. B. No. 312, by Committee on Appropriations.

H. B. No. 316, by Committee on Appropriations.

H. B. No. 215, by Higgins.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate accepted the report of the Joint Conference Committee on House Bill No. 448.

Respectfully,

J. F. CONE, Secretary of the Senate.

On motion of Rasmussen, House recessed, subject to the call of the Speaker. House resumed.

Mr. Speaker in the Chair.

Mr. Speaker notified the House that he was about to sign Senate Bills Nos. 193, 108, 147, 141, 99, 178, 130, 173, 138, 148, 160, 149, 140, 116, 17, 195, 28, 16, 50, 189, 169, 164, 143, 78, 118, 75, 71 and substitute for S. B. 98, and signed same in the presence of the House.

The following resolutions were read and adopted.

RESOLVED, that Miss Catherine Calk is hereby employed at ten dollars per day for six days after the session, to assist the Chief Clerk and Sergeant-at-Arms of the House in compiling the records of the House.

(Signed) HIGGINS.

Mr. Speaker: We, your Committee on House Employees, move that the clerk to the Sergeant-at-Arms be employed for a period of six days after the session to assist in clearing up the affairs of the Sergeant's office.

(Signed) SEARLES, Chairman,  
PAGE,  
DAVIS,  
ASHBY,  
SKETNAN,  
GRIFFIN.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Committee on Enrollment, beg leave to report House Bills Nos. 225, 450, 167, 441, 314, 452, 230, 150, 448 and House Joint Resolution No. 9 and House Bill No. 381 and Sub. H. B. No. 55, correctly enrolled.

Mr. Speaker notified the House that he was about to sign House Bills Nos. 225, 450, 167, 441, 314, 452, 230, 150, 448, 381, Sub. H. B. No. 55 and House Joint Resolution No. 9, and signed the same in the presence of the House.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that a Resolution introduced by Senator Hogan today was read and unanimously adopted; same is transmitted to your Honorable Body for concurrence.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Senate adopted the report of the last Conference Committee on H. B. No. 450.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that House Joint Resolution No. 9, by Eliel, was this day read and concurred in, title agreed to, and is herewith returned.

Respectfully,

J. F. CONE, Secretary of the Senate.



Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day signed by the President in open session:

H. B. No. 102.  
H. B. No. 199.  
H. B. No. 445.  
H. B. No. 432.  
H. B. No. 339.  
H. B. No. 239.  
H. B. No. 86.  
H. B. No. 409.  
H. B. No. 223.  
H. B. No. 431.  
H. B. No. 264.  
H. B. No. 417.

Respectfully,

J. F. CONE, Secretary of the Senate.

Lusk: I move that a Committee of three be appointed to notify the Governor that the House is now ready to adjourn sine die.

Motion carried.

Mr. Speaker appointed the following Committee: McMahon, Lusk and Stimpert.

McMahon: I move that a Committee of three be appointed to notify the Senate that the House is now ready to adjourn sine die.

Motion carried.

Mr. Speaker appointed the following members: White, Eliel and Baxter.

The Committee appointed to notify the Senate reported having done its duty and begged to be excused.

Report adopted.

The House was officially notified by a Committee of three that the Senate was ready to adjourn.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

The following communications were received from the Senate:

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following House measures:

House Bills Nos. 167, 441, 450, 448, 225, 150, 155, 381, 230, 314 and H. J. R. No. 9.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that, on motion, the President appointed Senators Larson, Junod and Arnold to notify the House that the Senate had completed its business and was ready to adjourn sine die. Motion carried.

Also the President appointed Senators Brower, Ellingson and Healy as a Committee of three to notify the Governor that the Senate had completed its business and was ready to adjourn sine die.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the President of the Senate this day in open session signed the following measures:

Senate Bills Nos. 195, 17, 28, 16, 50, 189, 169, 164, 143, 78, 118, 193, 75 and 71.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the Enrollment Committee this day reported the following Bills correctly enrolled:

Senate Bill No. 195.  
Senate Bill No. 17.  
Senate Bill No. 28.  
Senate Bill No. 16.  
Senate Bill No. 50.  
Senate Bill No. 189.  
Senate Bill No. 164.  
Senate Bill No. 143.  
Senate Bill No. 78.  
Senate Bill No. 118.  
Senate Bill No. 193.  
Senate Bill No. 75.  
Senate Bill No. 71.  
Senate Bill No. 169.  
Report adopted.

Respectfully,

J. F. CONE, Secretary of the Senate.

Senate Chamber, Helena, Montana, March 1, 1917.

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that on motion of Edwards, duly seconded and carried, the Senate of the Fifteenth Legislative Assembly adjourned sine die at 11:59 P. M.

Respectfully,

T. S. GARLOW, Asst. Secretary of the Senate.

Crowley, from the Committee on Enrollment, reported as follows:

Mr. Speaker: We, your Enrolling Committee, beg leave to report that the following Bills have been delivered to His Excellency, the Governor: March 1, 1917, House Bills Nos. 314, 230, 381, 155, 150, 225, 167, 448, 450, 452, 441 and House Joint Resolution No. 9.

The Committee appointed to notify the Governor reported having done its duty and begged to be excused.

Lemmon: I move that the House of Representatives of the Fifteenth Legislative Assembly do now adjourn sine die, at 11:59 P. M.

J. F. O'CONNOR, Speaker.

C. H. TREACY, Chief Clerk.











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